

EXHIBIT SW-01

Aubry McMahon
February 24, 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

* * *

AUBRY McMAHON,	:	NO. 2:21-CV-00920
Plaintiff	:	
	:	
vs.	:	
	:	
WORLD VISION, INC.,	:	
Defendant	:	

* * *

Zoom deposition of AUBRY McMAHON,
beginning at 10:08 a.m. Eastern Time, on Friday,
February 24, 2023, before Karen A. Stevens, Court
Reporter and Notary Public, there being remotely
present:

Aubry McMahon
February 24, 2023

A P P E A R A N C E S :

CASEY WOLNOWSKI, ESQ.
NISAR LAW GROUP, P.C.
60 East 42nd Street, Suite 4600
New York, New York 10165
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-- Representing the Plaintiff

SCOTT J. WARD, ESQ.
J. MATTHEW SZYMANSKI, ESQ.
GAMMON & GRANGE, P.C.
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-- Representing the Defendant

ALSO PRESENT: Steve McFarland

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1 grew up in that church. It's about a 45-minute
2 drive, but they do virtual sermons and things like
3 that. And then they also have a lot of community
4 events that they do. So Halloween we went for a fun
5 thing. Trunk or Treat, that's what it's called. We
6 went to that for Halloween. So we always try to do
7 not only just, you know, church every Sunday, but
8 also get involved in other various ways with this
9 church.

10 I did go to Uganda, Africa on a
11 mission trip with them back in I want to say it was
12 2012 or 2013. But it was a mission trip to an
13 orphanage and they were kind of actually taking the
14 World Vision approach, if you will, to have people
15 sponsor the orphans there and that would allow them
16 to live in a house with they called them a house
17 mom, but a mom and I believe eight other kids. So
18 we did a lot of work with helping build those
19 houses, but also growing and communicating with the
20 kids, doing fellowship, worship and things like that
21 while we were there, as well as at the time I was a
22 certified nurse's assistant. So I did a lot of
23 basic medical care that was needed alongside a nurse
24 that was also on the trip.

25 Q Sounds like an amazing experience. I

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1 probably will ask more about that in a few minutes.

2 Would you describe yourself as a Methodist? Would
3 that be your religious identification?

4 A Yes, sir. I went to -- I attended Gardner
5 Webb University for part of my undergraduate. I
6 believe they are Baptist, but I still remained in
7 the Methodist section if you will.

8 Q Is it fair to say more broadly you would
9 describe yourself as Christian in your religious
10 faith?

11 A Yes, sir.

12 Q Can you tell me a little bit about what
13 being a Christian entails for you? Sort of what's
14 your two or three minute summary of what you believe
15 as a person?

16 A Yeah. So I think growing up you're
17 obviously taught the basics, if you will, about
18 God's story and all of that and, you know, kind of
19 how to live as a giving human, someone that has
20 empathy, helps others, you know, teaches the word of
21 God in a sense of in your community and just
22 exemplifies yourself as a Christian. The definition
23 of Christianity is different for each person, I
24 believe, and that's something that I believe you
25 have to decide for yourself.

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1 And it's also I think just as a
2 whole, in my opinion, being overall the best person
3 that you could be with I guess I'm huge on empathy,
4 treating someone how you wish they would treat you,
5 helping people when you can, attending church,
6 praying if that's something that you do or
7 meditating or whatever gives you that internal peace
8 and connection. So that's kind of I guess my own or
9 how I view Christianity.

10 Q Thank you. I appreciate that. You talked
11 about the word of God. What do you believe about
12 the word of God? Could you unpack that a little bit
13 please?

14 A Sure. The Bible is definitely something
15 that I grew up, you know, reading and studying. I
16 was involved in confirmation and I guess I was
17 confirmed around the age of 12, I believe. And so
18 that had a lot to do with learning the word of God
19 and also reading the Bible. I loved to highlight in
20 the Bible, which some people probably wouldn't love
21 that, but highlight in the Bible, take little notes
22 and things like that. But it was a lot of -- I
23 guess the word of God in simple terms the Bible is
24 also a place some people go for comfort or for
25 understanding and I think that each people, just

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1 like with Christianity, they interpret it in
2 different ways. So that's the gist of the word of
3 God to me.

4 Q Thank you. And the thing you just said a
5 minute ago, I take it it's fair to say people do
6 interpret the Bible in different ways is part of
7 your belief?

8 A Yes, sir.

9 Q And is it fair to say sometimes in ways
10 that can be a fairly strong disagreement?

11 A Can you rephrase that?

12 Q Yeah. Maybe a better way to say it is
13 sometimes people can disagree pretty vigorously
14 about what the Bible means or what it says. Is that
15 fair?

16 A Yeah, I would agree with that.

17 Q Let me ask you a little bit, then, about
18 sometimes I hear religious faith as a Christian as
19 having a relationship with God or relationship with
20 Jesus. Is that something you would use in your
21 faith tradition?

22 A Yeah, I believe so.

23 Q Could you tell me what that relationship
24 would look like?

25 A I think it's almost like to me I would say

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1 more so, you know, like the angel on your side,
2 almost like a conscience. So my relationship with
3 God is more so like thinking of God as the ultimate,
4 if you will, I don't know a lot -- excuse me for not
5 being poetic, but a nice person, somebody like I
6 mentioned earlier that is just giving. So if I go
7 into a situation, you know, for example if I'm at
8 the grocery store and somebody is not able to pay
9 for their groceries in front of me and I have a
10 little bit of extra money, then I think back or
11 think in my head or my own conscience like what is
12 something good that I can do that's Christian-like
13 that, you know, would almost exemplify God and who I
14 see him and how I believe that he would act.

15 So it's almost like a moral check if
16 that makes sense. I try to see the world through
17 the lens of being a Christian and having that
18 relationship with God. And you know the famous
19 saying WWJD, What Would Jesus Do. So it's something
20 that I've always thought of and something that I've
21 always tried to live from a place of.

22 Q Thank you. That's helpful. You mentioned
23 I think that you're still a part of the church that
24 you grew up in.

25 A Yes.

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1 Q What's the name of that church?

2 A It's called West United Methodist Church.

3 Q And you mentioned it's a Methodist church?

4 A Yes, sir.

5 Q When you say Methodist one of the things
6 I've learned over the years is most denominations
7 have multiple branches. Is it part of a larger
8 association or denomination of Methodists?

9 A I'm not sure.

10 Q The one I'm familiar with is the United
11 Methodist Church which is the big largest
12 denomination. Could it be part of that
13 denomination?

14 A Yeah. It is referred to as West United
15 Methodist Church. However, to be honest, I don't
16 know what principles and teaching that they talk
17 about. However, they are huge on inclusivity and
18 diversity within their church, so I don't know if
19 that falls under any of the Methodist denominations,
20 if you will, but that's as far as I kind of know
21 with them.

22 Q Thank you. That's helpful. You mentioned
23 the words inclusivity and diversity. Could you
24 explain what your church believes about inclusivity?

25 MR. WOLNOWSKI: Objection to form. Aubry,

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1 you can answer.

2 THE WITNESS: So they believe that, just
3 in the sense of my own interpretation, very
4 many of the church attendees or congregation
5 are part of either homelessness, minority
6 groups, people who have been past criminals or
7 I guess people that generally may be turned
8 away from churches or church members, including
9 people that are gay, as well as the pastor's
10 husband is gay. And so there is definitely
11 that safe space for people that -- and that's
12 one of the things that they pride themselves
13 on, is being a safe place for people. You can
14 show up in your pajamas and they don't care,
15 because you're there to worship God and to them
16 that's more important than what you're wearing,
17 who you love or where you come from, what your
18 background is and things like that.

19 So I think inclusivity to them is
20 basically just kind of like that, you know, we
21 don't essentially care who you are or where
22 you've been, but you're here today to, you
23 know, better your relationship with God and
24 learn and grow, so, you know, we take you as
25 you are, essentially.

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1 BY MR. WARD:

2 Q And my question had asked what your church
3 believed. Let me ask it of you individually. Is
4 that what you believe or -- let me leave it there.
5 Is that what you believe as well?

6 A Yeah. Yeah, I think so. I think I
7 definitely align with them, which is why I choose to
8 go and attend that church for sure.

9 Q Thank you. Just to clarify one thing,
10 you've mentioned that the pastor's husband is gay.
11 Are they -- is the pastor and the husband, are they
12 in a same sex marriage as well or is it some other
13 arrangement?

14 A So they are not. The main pastor is a
15 female and her husband, they are now divorced. But
16 we grew up knowing them as husband and wife. They
17 got divorced a couple years ago and the ex-husband,
18 if you will, is now with another man and that is
19 something that the church as a whole has just kind
20 of accepted and, you know, been okay with. It was a
21 weird transition for the pastor and her own family,
22 but it's something that he's still involved in the
23 church, so is his current fiance. So that's -- that
24 was a little confusing when I said that, so I
25 apologize.

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1 Q No apology needed. I'm less confused now.
2 Thank you.

3 A Okay.

4 Q So if you wouldn't mind, can you explain
5 for me, please, what you believe as part of your
6 religious faith about marriage?

7 A So I think marriage in a religious
8 standpoint is -- I don't know. To me it's who you
9 love. Marriage is a commitment to a person that you
10 will be at their side through thick and thin for the
11 rest of their life. So to me it's whoever that
12 person may be, as long as it's legal I would say.
13 That's definitely a marriage to me. I even know
14 people who, you know, don't -- have been together
15 forever and aren't marriage -- married because they
16 don't see the need for a piece of paper.

17 So I think for myself in a religious
18 standpoint and personal standpoint marriage is just
19 finding that person who you want to be by for the
20 rest of your life, who you could see yourself
21 raising kids with or not. But ultimately a person
22 that supports you the most and also exemplifies God
23 through their actions and, you know, beliefs as
24 well. So hopefully that makes sense.

25 Q That does. Thank you. And let me ask a

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1 little more focused question. Does your religious
2 understanding of marriage involve the idea of sexual
3 exclusivity within marriage, that sexual conduct
4 should only occur within a marriage?

5 A Can you rephrase that?

6 Q Sure. Do you believe as part of your
7 Christian faith that sexual conduct should be
8 limited to marriage only?

9 A No.

10 Q Thank you. Let me ask this. Are there
11 particular religious writings or teachings that you
12 found helpful in deciding about what you believe as
13 part of your religious faith about marriage?

14 A There really aren't. I think growing up
15 you're told certain things and then it's kind of, in
16 my opinion, up for you to decide. But there is no
17 Bible verses or teachings that I can think of around
18 marriage, to be honest.

19 Q Thank you. Just I'm a little bit curious.
20 At your wedding did you have any particular
21 religious texts or readings that were shared?

22 A We did not, no.

23 Q Did someone from your church officiate at
24 your wedding or did you have someone else officiate
25 it?

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Errata Sheet

NAME OF CASE: AUBRY MCMAHON, -against- WORLD VISION, INC.,

DATE OF DEPOSITION: 02/24/2023

NAME OF WITNESS: Aubry McMahon

Reason Codes:

1. To clarify the record.

2. To conform to the facts.

3. To correct transcription errors.

Page 22 Line 9 Reason 1*

From "No" to "Yes"

Page Line Reason

From to

Page Line Reason

From to

Page Line Reason

From to

*In review of the transcript, I realized that I misunderstood the question. I thought the question was asking whether I believed sexual conduct between partners should occur before marriage, to which I responded "No." I realize now that the question asked was whether I believed married partners should be monogamous with one another, and to that my answer is "Yes."

 2/28/23

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1 counselor but graduate school is very expensive. So
2 I'm trying to find that right time, if there ever is
3 a right time, to possibly go back to grad school or
4 go back and begin grad school to become a therapist.
5 So definitely mental health. I love animals. I'm
6 trying to get my wife to let us get chickens. I've
7 always wanted chickens. It doesn't have anything to
8 do with the egg shortage, but I've always wanted
9 chickens. Growing up I had a baby raccoon for a
10 while. My dad did landscaping and found it.

11 So I've always been a lover of
12 animals and helping nurture them back to health, if
13 you will. We have two dogs. I would have a cat if
14 I wasn't allergic. So that's also something. And
15 then just the LGBT community in and of itself. We
16 always go to Charlotte has pride events. They are
17 very -- most of Charlotte is pride friendly, if you
18 will, as well as Ashville, North Carolina where we
19 like to go a lot. So just doing things -- those are
20 just a couple of my interests, I guess. But mostly
21 it's, you know, working and taking care of E [REDACTED].
22 And then we really love to be outside. So like if
23 there is any local vendor events or small business
24 things we love to go to those as well. So hopefully
25 that answers it.

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1 something that I'll always be proud of.

2 Q Thank you for sharing about that. Let me
3 ask. You mentioned another area where you're active
4 and involved and that's advocacy for LGBTQ issues;
5 is that right?

6 A Yes, sir.

7 Q Can you tell me a little about what you do
8 in that area, please?

9 A Yeah. So there is an organization in
10 Charlotte called Timeout Youth. They are -- I don't
11 want to call it a boys and girls club, but that sort
12 of type feel where kids can go after school, they
13 can get resources if someone may be transgender or
14 may be questioning their gender identity or their
15 sexuality they can go and get support. My wife is a
16 teacher, so in the summers she volunteers there when
17 she has time off. So we do a lot of things to stay
18 active in that community as well as like attending
19 the Charlotte Pride.

20 There is another group in Charlotte.
21 It's called CALM, but it stands for Charlotte Area
22 Liberal Moms. And it's a lot about moms helping
23 moms, but also supporting businesses that are LGBTQ
24 friendly and inclusive. And some people will post,
25 Hey, we are a same-sex couple. Wanted to see what

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1 church you think may be good for us to try out, or,
2 you know, what school or restaurant or whatnot. So
3 it's a lot of just in our community as it is.
4 Indian Trail is, you know, very politically varied.
5 So we have a Pride flag that hangs outside of our
6 house. I have various bumper stickers. One's from
7 the CALM group and it's a rainbow flag. So we
8 have -- you know, try to support -- try to show our
9 support in those ways.

10 And my wife being a teacher, all
11 of -- or most of her students, I can't speak for
12 them, but as far as I know they know that she's
13 married to a woman and, you know, that she's a safe
14 spot for them. So we try in our day-to-day lives
15 even to show that we are supportive of the LGBTQ
16 community and things like that. So....

17 Q When did you get involved with Timeout
18 Youth? When did that start?

19 A That was I want to say 2018? Yeah, I'd
20 say it was summer of 2018. Jaclyn, my wife, had
21 started volunteering there on her summers off. So a
22 lot of times if I -- and I was at school at the
23 time, so if I had a break from class I would bring
24 her lunch or whatever and get to, you know, talk
25 with people there and kind of see how it functioned,

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1 if you will. And with various other places that
2 I've worked the LGBTQ community for everywhere that
3 I've worked so far has been acknowledged and
4 accepted, so that is also something that's
5 important.

6 But, yeah, so in terms of Timeout
7 Youth, I believe it was the summer of 2018 when we
8 started kind of immersing ourselves with them and
9 what they do.

10 Q And you continue to be involved with them,
11 it sounds like?

12 A Yeah. Yeah. I will say with COVID, like
13 Charlotte didn't hold their Pride for two years I
14 believe because of COVID. So there were breaks in
15 between when either with Pride or with Timeout Youth
16 with lockdowns and things like that. But, you know,
17 it may not have been consistent, but we are still,
18 you know, I wouldn't say part of their community,
19 because it's an organization and we are not hired by
20 them or anything, but we still donate to them and
21 things like that.

22 Q You've mentioned I think I got CALM, but
23 Charlotte Area Liberal Moms --

24 A Yeah.

25 Q When did you start getting involved with

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1 CALM?

2 A With them, I believe I can look -- well, I
3 can't look now, but if you need it I can give you
4 the date when I joined the Facebook group. But I do
5 believe it was around 2020, I believe, yeah.

6 Q Do you remember when in 2020; spring,
7 fall?

8 A I'd say fall of 2020, maybe August,
9 November-ish.

10 Q Thank you. I'm not sure I understood
11 fully what they do. Can you tell me just a little
12 bit more about what sort of activities CALM engages
13 in, please?

14 A Yep. So they do a lot of donation kind of
15 coordination in the community. So, for example,
16 when Charlotte had a lot of refugees from Ukraine
17 come, we all worked to get them donated supplies,
18 you know, find places to live, so, you know -- or a
19 lot of them needed medical care. So if anyone in
20 the group was a doctor or could offer any services
21 such as that, it was a lot about -- or it is a lot
22 about networking and helping people in the
23 community, whether it be refugees or sometimes there
24 will be they will put -- they call it a call to
25 action. But, you know, if a single mom is about to

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1 be evicted and needs some sort of clothing, housing,
2 monetary donations, then they will ask for those
3 kinds of things.

4 For Christmas they do like an angel
5 tree type thing that you can sign up for and donate
6 to or adopt a family. So it's a lot about
7 networking in the community, but also in a way that
8 may -- some people may not agree with, for example,
9 like helping the refugees find housing and be safe
10 and things such as that.

11 Q Can you tell me in particular, what did
12 they do with regard to LGBTQ issues? What's their
13 activity there?

14 A They always attend Pride, they're huge
15 with helping Timeout Youth, they're huge supporters
16 of businesses that are involved with the LGBTQ
17 community or inclusive of things such as that. So
18 I'd say mostly just -- what's the word? I don't
19 want to say advertise, but mostly just putting out I
20 guess to the community, you know, various issues.
21 In the Charlotte area, the county that we live in
22 right now, the Union County School Board has a lot
23 of LGBTQ opinions.

24 So a lot of what CALM does is I
25 wouldn't say protest, because it's not like a --

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1 peacefully protest or show up to the board members
2 and try to advocate for the LGBTQ youth and their
3 rights and things like that or, you know, with
4 various laws that they have been worried about being
5 passed, you know, making sure people have
6 protection.

7 Or, you know, for us when we were
8 going through the legal process of Jaclyn adopting
9 E [REDACTED] we had just posted I think in CALM and asked
10 like, Hey, does anybody have any resources for an
11 LGBTQ-friendly lawyer. So that was something -- or
12 somebody that had experience with that. So I guess
13 just finding resources. And they do work, like I
14 said, a lot with the Charlotte Pride events, but
15 also helping with LGBTQ rights and things like that.

16 Q And what's your personal involvement,
17 then, on those sort of issues? Let me rephrase that
18 to be a little bit clearer. How have you personally
19 been involved in LGBTQ type issues?

20 A I mean we are -- we go to Pride every
21 year, we help out -- not help out, but donate our
22 time and money to Timeout Youth, to Pride. My wife
23 is always a huge safe spot, if you will, emotionally
24 I guess to her students just in a sense of giving
25 them that sign of relief when they see her little

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1 Pride flag or her desk, that she's a safe person, if
2 you will.

3 But, yeah, so in terms of LGBTQ, like
4 the human rights campaign, we donated to them for a
5 while, we do help a lot when we can just like with
6 sponsoring kids through church organizations, but
7 also helping with organizations that support the
8 LGBTQ community. So monetary donations, Timeout
9 Youth, kind of like the smaller version of Goodwill
10 where you can give old clothes, housing items and
11 those are all given to either teens that may have
12 been kicked out of the house because their family
13 doesn't agree with their sexuality or things like
14 that. So we do try to give a lot to those
15 communities.

16 And I think also huge for me
17 personally it is scary sometimes to have a Pride
18 flag in front of our house. I wouldn't -- I'd be
19 lying if I said that I hadn't wanted to take it down
20 at points because I've been afraid, especially
21 during elections and things such as that. So I
22 think even just standing firm in our acceptance and
23 allied-ship, if you will, with the LGBTQ community
24 is something that it's scary, but it's also what we
25 feel like we need to do, if you will.

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1 Q Thank you. When I was Googling around and
2 trying to find things I found something called
3 Bonfire where it looks like you have some artwork
4 that you do?

5 A Yeah, uh-huh.

6 Q Can you tell me a little bit about that?
7 I've got a couple printouts that I can bring in as
8 exhibits if that's helpful. Let me go ahead and do
9 that. So go ahead if you want to start talking a
10 little bit.

11 A Yeah. I don't remember exactly when I
12 started it. I remember one design it says Stay
13 Alive and it has a floral decoration on it. I
14 honestly cannot remember what -- I think that was
15 for an Out Of Darkness walk or either that or the
16 Charlotte National Eating Disorder Walk, some
17 awareness walk that we went to. For the Charlotte
18 North Carolina Mental Health Support Group we were
19 all going to wear T shirts. So I had dabbled, if
20 you will, in graphic design and marketing previously
21 for a company -- well, actually a couple companies,
22 including the counseling place that I worked at. So
23 it's something that I enjoy.

24 And at the time of us wanting to
25 conceive E [REDACTED], it's very expensive, so we did

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1 do -- or I did some designs, if you will, on
2 Bonfire. Bonfire is like I don't want to say a
3 charity, because it's not. It's like a fundraising
4 kind of platform. So we started it with -- it was
5 kind of in two sections. We started it for the
6 Charlotte North Carolina Mental Health Support Group
7 and also used it again when we were trying to pay
8 for everything to conceive E [REDACTED]. So I just kind
9 of made designs that I felt exemplified me as a
10 person my beliefs, my -- things like that, yeah.

11 Q It may be the schoolteacher in me, but I
12 like visual aids. Let me suggest that we introduce
13 as Exhibit 2 something that's I believe a printout
14 on Bonfire. It should be in the chat for everyone
15 to look at. So please go ahead and take a look at
16 that.

17 * * *

18 (Whereupon, the above-mentioned
19 document was marked for
20 identification as Exhibit-2.)

21 * * *

22 THE WITNESS: My computer might make a
23 noise when I do. Yep. Oh, yeah. Okay. Can I
24 also add that we did do some merchandise, if
25 you will, for CALM, which is what you can see

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1 the logo. Sorry, I'm still trying to pull it
2 up. I don't know where it went.

3 BY MR. WARD:

4 Q No problem. This is your entry page.
5 I'll upload a couple individual pages so it's easier
6 to see them. Sometimes these printouts are too
7 small.

8 A Okay. Is it popping up in a different
9 window? Oh, wait. I found it. Okay.

10 MR. SZYMANSKI: Aubry, I had to click save
11 before it would open on my computer. I had to
12 save it first.

13 THE WITNESS: Okay. I got it open. Sorry
14 about that.

15 BY MR. WARD:

16 Q No problem. Let me do the usual lawyer
17 questions on these things. Do you recognize this?

18 A Yeah, for sure.

19 Q What is it?

20 A This is -- looks like the Bonfire web
21 page, Bonfire being the website I guess you could
22 say, or company, that we used to sell or list the
23 designs of various -- for various projects, if you
24 will.

25 Q Am I right the banner at the top of this

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1 page, is that a picture of you on the right? It's a
2 little bit obscured by the log-in.

3 A Yeah, I'm the orange one.

4 Q Who is the other person? Is that your
5 wife?

6 A Yeah, that's my wife.

7 Q That's Jaclyn Foreman?

8 A Yes.

9 Q Then I take it on all of these pages these
10 are all the products that you're selling through
11 Bonfire?

12 A Yes. I don't sell them anymore, because
13 you have to list them for like a certain like
14 one-week, two-week kind of thing. So none of them
15 are live as far as I know. And you also have to
16 sell like a minimum amount in order for them to be
17 printed. So I have not sold anything. The last one
18 we had done was the one on top, the CALM, for that
19 Charlotte Area Liberal Moms.

20 We had sold merchandise, which they
21 sell car magnets that are the circle, through a
22 different person. So they wanted T-shirts and other
23 things, so we created on here and all of those
24 proceeds go to the CALM group, if you will, for
25 things like I mentioned before, like donations to

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1 moms or Christmas, whatever. But that was the last
2 one that we had done and I don't remember when the
3 last product or, if you will, had sold, but, yeah.

4 Q Let me go ahead and send to everyone what
5 we can mark as Exhibit 3, because I think we have
6 got a Printout of the CALM page in particular. That
7 may be a little easier for us to look at.

8 * * *

9 (Whereupon, the above-mentioned
10 document was marked for
11 identification as Exhibit-3.)

12 * * *

13 THE WITNESS: Did you all hear that noise?
14 BY MR. WARD:

15 Q I did.

16 A Okay. That was just letting you know that
17 was the CALM mug that popped up.

18 Q I've sent you Exhibit 3, but on Exhibit 2
19 just want to do something that we lawyers do a lot,
20 and confirm. So is that a true and correct printout
21 of your main page on the Bonfire site?

22 A As far as -- since the last time I saw it
23 it looks just like it did, yeah. I've not been on
24 there in at least a year, so I wouldn't know right
25 from the getgo, but as far as the last time I've

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1 seen it, that looks like it's right, yeah.

2 Q Thank you. On this thing we have marked
3 as Exhibit 3, is this what you were referring to
4 before, the materials that you created for Charlotte
5 Area Liberal Moms?

6 A Yes.

7 Q So you're talking about I guess the logo,
8 the circle with the rainbow flag and then the CALM
9 insignia inside it?

10 A Yeah. The -- Charlotte, North Carolina is
11 referred to as the Queen City, which is kind of
12 where crowns and Queen City Counseling comes from,
13 if that clarifies it for anybody.

14 Q It does. A whole lot of things make
15 sense, Queen City Counseling and the crowns there.
16 Is that a design you created or is that a design
17 CALM already had?

18 A Yeah, they already had that one. I will
19 say beforehand, at least for the magnets that they
20 give for the car, for cars, right now if you
21 literally took that circle, that's what the magnet
22 looks like. However, before it was just black and
23 white.

24 Q That's helpful. Thank you. Do you
25 remember -- you were saying you haven't gone on the

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1 Bonfire site for about a year. Do you remember what
2 time period you had this CALM material available on
3 the Bonfire site?

4 A I don't, to be honest. I could guess, but
5 I don't remember off the top of my head.

6 Q Just your best recollection is fine.

7 A I'd say at some -- 2021, maybe.

8 Q That's helpful. And again, that same
9 thing to make sure I've got accurate information, is
10 this a true and correct copy of the particular part
11 on the Bonfire site? Is that right?

12 A Yes, sir.

13 Q And the rainbow colors in the CALM logo,
14 is that intentionally designed to be a LGBTQ
15 community symbol?

16 A I believe so. I didn't create the logo,
17 but I would assume with CALM's mission, if you will,
18 that that would be it, yeah. And that's, you know,
19 why we have it on the car and my wife and I both of
20 the magnet. So, yeah, that's as far as my
21 understanding is, yeah.

22 Q I think I may not have asked you this.
23 When did you first become involved with CALM?

24 A So I believe I think you asked, but I
25 think I was around -- like I said, I could look at

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1 the Facebook group of when I joined it, but I do
2 believe it was around 2020, in the fall of 2020.

3 Q And you're reminding me, sorry. I think
4 you did say August to November-ish. Sorry.

5 A Yeah.

6 Q That's my bad memory kicking in. Let me
7 send around what we can mark as Exhibit 4 to your
8 deposition. This is another Bonfire printout.

9 * * *

10 (Whereupon, the above-mentioned
11 document was marked for
12 identification as Exhibit-4.)

13 * * *

14 BY MR. WARD:

15 Q I'll ask you, do you recognize this?

16 A Yes.

17 Q What is it?

18 A That is a T shirt design that we did, or
19 that we made just of a quote that I like. I had
20 previously had a shirt that had that quote, Love is
21 a terrible thing to hate, on it, because I feel like
22 it exemplifies almost like you asked earlier my
23 definition of marriage. So, yeah, that is one of
24 the shirts that we had made.

25 Q Do you remember when you made these?

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1 A Oh, geez. I believe it would have been
2 2020. I believe it was 2020, yeah.

3 Q Do you remember about what month you would
4 have put them out?

5 A I don't remember. I will assume, though,
6 it was around the time we were trying to conceive
7 E [REDACTED], so about May to July of 2020.

8 Q So at least pre-E [REDACTED]'s conception, they
9 were out by then?

10 A Yeah.

11 Q That's helpful. I take it again that the
12 rainbow design is indicating your support for the
13 LGBTQ community?

14 A Yes.

15 Q You had a posting on the first page that
16 says, We are a same-sex couple that is raising funds
17 to start our family.

18 A Yes.

19 Q I'm curious, did you receive donations or
20 purchases out of this? Were the funds helpful?

21 A Yeah, for sure. A lot of it did go to the
22 cost of, for lack of a better word, sperm. We had
23 ordered -- each vial you order is about \$800,
24 shipping is I think about 250. So all in all it
25 took about \$4,000 to conceive E [REDACTED], so those

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1 funds were used towards that and, you know, for
2 people that wanted to support us in that way.

3 Q And do you know about how many total you
4 sold?

5 A I do not. But I could get you that
6 number. I'm sure it's on the -- not the website,
7 but the portal, on the owner portal, if you will.
8 So I'm happy to get those numbers if you need, but
9 I'm not sure.

10 Q Thank you. Not particularly important,
11 more my curiosity. I always like to understand
12 things. Did you keep any copies of this? Do you
13 still have ones that you wear or child-size ones for
14 E [REDACTED] to wear?

15 A Yeah. We had the Stay Alive one, which I
16 don't know if it was in the Exhibit 2. I can pull
17 it. I'm looking on Exhibit 2. Yeah, so if you
18 scroll to page three, about halfway down you'll see
19 a premium unisex T and a classic long sleeve T, both
20 have that Stay Alive. We have that but in the gray
21 sweatshirt version. We have two of those we still
22 wear. And then we have if you go up to the second
23 page, that's floral design, we have one of those
24 sweatshirts as well, but in the red, the maroon
25 color. And then for E [REDACTED], we don't have it

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1 anymore. We donated it, but the rainbow onesie on
2 the bottom of Page two, we had a gray one of those.
3 And I think that's it, yeah.

4 Q Just again confirming, so Exhibit 4 is a
5 true and correct copy of that section of the Bonfire
6 web page that you set up; is that right?

7 A Yes, sir.

8 Q Thank you. Let me send around one more.
9 We can mark this as Exhibit 5. This is another
10 Zoom-in on the site.

11 * * *

12 (Whereupon, the above-mentioned
13 document was marked for
14 identification as Exhibit-5.)

15 * * *

16 BY MR. WARD:

17 Q If you would take a look at that, please?

18 A The rainbow one?

19 Q Yes.

20 A Okay, got ya.

21 Q Can you explain to me what the rainbow
22 design is?

23 A I would describe my style, if you will, as
24 almost bohemian if you understand, light and airy,
25 lot of florals. And the rainbow is also significant

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1 to me just like in the logo, the Just Be logo,
2 rainbows are -- also I love them just for their
3 meaning in the LGBTQ community, but also I love
4 those pastel boho kind of colors. So that one I
5 just, you know, made because -- yeah, because I like
6 the design and the colors and rainbows.

7 Q It sounds like it's fair to say, then,
8 that rainbow has sort of a double purpose for you.
9 It's both a way to advocate for the LGBTQ
10 perspective, but also it's got an aesthetic appeal?

11 A Yeah. I'd say, yeah. I'm not a very bold
12 color, like the red, orange, yellow green blue.
13 That's kind of the more aggressive colors. I like
14 the more calming tones, so that would be the only
15 distinguishing factor, if you will, of those two for
16 me, yeah.

17 Q You referred several times to the Just Be
18 phrase?

19 A Yeah.

20 Q What's the meaning of Just Be?

21 A To me it's just -- it's a lot about
22 mindfulness in that moment. Just be kind of who you
23 are, where you are. I think it's a huge almost
24 slogan, if you will, for me as a person and how I go
25 about things. If you think I'm weird for liking

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1 French vanilla creamer, then just be, that's fine.
2 Almost like it is what it is. You know, you do you,
3 you know, just be. Just be who you are and, you
4 know, it's like a mindful kind of reminder to myself
5 and, you know, to others that who you are in that
6 moment is exactly who you need to be and to not feel
7 shame for that or things like that. Just also in,
8 you know, really any viewpoint I feel like you could
9 take it from. So if -- with raising toddlers, if
10 E [REDACTED] wants pizza for breakfast, that's what we
11 are going to do, because you've got bigger battles.
12 So it's kind of a mantra for me, if you will, and
13 how I go about my life.

14 Q So you should send it to Dr. Phil. It
15 might --

16 A I actually did have a -- I took a picture
17 of a shirt, as sweatshirt with his face on it in
18 floral and he featured it on his show, which was
19 cool.

20 Q That's very cool. You also referred to --
21 there is another one that says Stay Alive. I was
22 curious what that means to you?

23 A Yeah. I think just with my own personal
24 struggles with like an eating disorder and I've had
25 struggles with self harm, suicidal ideation, as well

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1 as almost everybody in the mental health support
2 group that I ran did as well. And at for one of the
3 walks we did that was called the Out Of Darkness
4 Walk, it's a suicide prevention walk or, you know
5 it's to raise awareness for those that have died by
6 suicide. So it's definitely a, I don't want to keep
7 saying slogan, but, you know, Stay Alive, you know,
8 it is worth it.

9 When I was younger I never thought I
10 would make it to 16, but, you know, here I am. I
11 never thought that, you know, because of
12 complications from my eating disorder that I would
13 be able to have a child, but I stayed alive and, you
14 know, persevered. And so it's just something that
15 everybody needs and I like to wear it as a reminder
16 to other people, purposely wear it. If I'm passing
17 someone in Walmart and they're having a tough time,
18 if they see Stay Alive, it's a little bit of, wow,
19 that person -- that's a good reminder. So hopefully
20 that makes sense.

21 Q It does, and thank you for sharing that.
22 I'm troubled to hear you didn't know if you'd make
23 it to 16. I hope that's resolved. I hope that
24 there's been healing there, but that sounds like a
25 pretty tough stretch.

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1 A Yeah.

2 Q It sounds like this has been helpful.

3 These are both personal statements and public
4 statements mixed together. They have a lot of
5 meaning for you but they have a lot of meaning to
6 speak them out in the world as well.

7 A Yeah. I'm very much so -- I'm not a very
8 superficial person just in a sense of if people ask
9 me, How was your pregnancy. I'm not going to be
10 like, It was fine, because I want to raise awareness
11 about those things. Especially with post-partum
12 depression and anxiety and things like that, it's
13 not talked about. And I know there was a news story
14 recently where a mother had taken the lives of her
15 children because of something like post-partum
16 psychosis. So definitely knowing those things in
17 terms of the mental health community, as well as the
18 LGBTQ community and really Black Lives Matter and
19 any minority group, like I'm not ashamed to say,
20 Yeah, we donated to help people from Ukraine come
21 here, because everyone deserves a right to be safe
22 and feel safe and, you know, happy. You know, so
23 it's just also something that is important to me in
24 that way too.

25 Q That makes a lot of sense. Thank you. I

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1 don't remember asking. So Exhibit 5 is also a true
2 and accurate copy of a portion of your Bonfire web
3 page. Is that fair?

4 A Yes, sir.

5 Q Thank you. What was the earliest that you
6 put any of these things up on Bonfire? You
7 mentioned for one of them I think that it had been
8 before E [REDACTED] was conceived. Was that the earliest
9 or were there things you posted even before then?

10 A I think that was the earliest as far as
11 I'm remembering, yeah. I know I did them all -- I'm
12 pretty positive I did them all around the same
13 period. It might have been two or three days or a
14 week push out for me to make the designs and such,
15 but -- and list them, but I would say it was all
16 around the same time.

17 Q This has been helpful. And clearly you're
18 a talented artist. You shouldn't give up that
19 calling as well.

20 A Thank you.

21 Q I'd like to ask you some about how you
22 came to decide that you are same-sex attracted as it
23 were. Can you kind of let me know -- let me do this
24 in a little more orderly way. I take it it's fair
25 to say that you are same-sex attracted?

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1 defenses in this action. If we are going to go
2 down a road where we are talking about Ms.
3 McMahon's dating history, I think it's going to
4 be prudent to have an understanding as to how
5 this is in any way, shape or form relevant. I
6 just want to put that on the record.

7 MR. WARD: Thank you, Counsel. I think
8 the question had been answered, so I will move
9 with my next question.

10 BY MR. WARD:

11 Q It sounds like Jaclyn was kind of a
12 significant change in your life experience in many
13 ways. It sounds like at that point, is it fair to
14 say, you decided that you identified specifically as
15 lesbian?

16 A Yeah, I'd say so.

17 Q I take it you still identify as lesbian,
18 obviously?

19 A Yeah.

20 Q At what point did your self identification
21 feed into the ways that you've worked to raise
22 awareness? Can you connect those two pieces for me?

23 A I think just kind of like I said. For me
24 it was a transition, or a journey, if you will, of
25 finding where I was -- not where I was, but who I

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1 was. And I will say just to backtrack on the last
2 one. I do generally refer to myself more so as gay.
3 I personally feel like the term lesbian gets a bad
4 wrap. I don't know if I'm allowed to say this, but
5 you hear about it a lot in pornography and it's a
6 very I feel sexualized in kind of an uncomfortable
7 way for me. So I do refer to myself -- I will never
8 be like, Hey, I'm Aubry and I'm a lesbian. It's
9 more so, Hey, I'm Aubry and my wife is this, or I
10 am -- I'll never just, you know, say, Hey, I'm a
11 lesbian. It's more so, I'm gay or I'm in a same-sex
12 marriage or I have a wife. The term lesbian for me
13 is just a weird one. But, sorry, so could you
14 repeat that question?

15 Q I appreciate you clarifying that. That's
16 really helpful. And I apologize if my use of
17 lesbian was --

18 A That's okay.

19 Q -- not picking up on what you were saying.
20 I think my question was, can you explain to me how
21 your increasing awareness of how you identified that
22 you were gay connects with your efforts to raise
23 awareness about LGBTQ issues?

24 A Yeah. So I think even just for I lost
25 friends when I came out, if you will, and my family

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1 at first was not as supportive as I would have
2 hoped. My one older sister was. My older sister,
3 Morgan, she was supportive. My triplet sister was
4 as well. My brother was -- my siblings were all
5 pretty supportive. They're all very, you know,
6 they're very faithful and have their own definitions
7 of their Christianity. So it was never voiced to me
8 that it was an issue for them, but I know for lack
9 of a better word it's a hot topic in religious
10 places.

11 So I did worry when I came out to
12 them, because my brother especially is very
13 religious in a sense of he really clings to his
14 relationship, has a strong relationship, if you
15 will, with his faith. So I did worry, but he
16 absolutely loves Jaclyn and E [REDACTED] and wouldn't
17 want it any other way. My mom and dad, same thing.
18 At first my mom's first worry was she wasn't going
19 to have grandchildren. But I think that's typical
20 for any parent that wants to be a grandma or
21 grandpa. But there is also -- I think that was her
22 major, what she's seen or believed, whether that be
23 from the media or a religious aspect. Nobody in my
24 family shunned me or said they wouldn't love me or
25 wouldn't accept me or treated me any differently. I

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1 think it was just everybody had to go through their
2 own process of it.

3 So I think just knowing that and
4 hearing stories of other people in the LGBTQ
5 community coming out, if you will. And oftentimes
6 like we see at Timeout Youth or CALM people,
7 teenagers, do get kicked out of their house or
8 shunned from their families. So just my own
9 personal experience, as well as the experiences of
10 other friends that I've had or what I've seen, I
11 always wanted to be an advocate, or as I mentioned
12 with Jaclyn also wanted to be in a safe space for
13 people to come and say, If you're straight, fine
14 with me. If you're transgender, that's fine. We
15 have some friends that are transgender. If you're
16 gay or you don't know, that's fine too. If you
17 think you're gay and then you're not, that's okay
18 too.

19 So I think it's a hot topic because
20 you hear a lot about it in the media and there's a
21 lot of opinions around it, but I think I just want
22 people to know that they're safe and loved and I'm
23 at least not going to judge them. So that's
24 something that I grew up with a fear of turning out
25 gay, if you will, based off of religion, and was

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1 afraid to be referred to, you know, as the lesbian
2 of the family or whatever, you know.

3 So I definitely think that there is a
4 lot of fear as being part of the LGBTQ community and
5 I even do -- like I mentioned with the flag, I still
6 have fear. And a lot of times, even when Jaclyn and
7 I are out in public, if I get a weird feeling from
8 people walking by me or if we are in a more
9 less-accepting area of town I'm afraid to, you know,
10 hold my wife's hand. So it's like knowing those
11 experiences -- sorry. Sorry.

12 But I'd never want somebody to feel
13 like they're less than because of who they love.
14 Like that shirt, "Love is a terrible thing to hate,"
15 so from my own experiencing feeling like I'm not
16 deserving or I'm unloveable because of something I
17 can't control or change, I'd never want anybody to
18 feel that way. So that's kind of why and how my own
19 sexuality and coming to know it and accept it is
20 something that -- and why I'm so big on advocating
21 for mental health. Because I think a lot of mental
22 health plays into people in the LGBTQ community,
23 because it is scary. There is a lot of anxiety,
24 there is depression, there's fear of abandonment.
25 There's a lot of things that come up. Hopefully

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1 that answers at least a little bit of the question.

2 Q Thank you for sharing that and sharing
3 some of the pain that you experienced from that. I
4 was thinking that I imagine E [REDACTED] must answer a
5 lot of your mom's questions or concerns that she
6 wouldn't have grandchildren. That must make her
7 very happy?

8 A Yeah. She wants us to have another, but
9 E [REDACTED], she's wild, so we'll see. She's enough for
10 now. But, yeah, she's great.

11 Q You mentioned at one point that there is
12 something that made you fearful that being gay would
13 be a problem in your religious community. That's
14 not the exact words you used.

15 A Oh, yeah. I know.

16 Q What was it that led you to have that
17 fear? What was it about your religious community
18 that led you to have that fear?

19 A Like to be blunt, it's just teaching, if
20 you will, or an interpretation that some people have
21 of the Bible that, you know, that being gay is a sin
22 and you're going to go to hell. And that's just
23 something -- there is a lot of other things, you
24 know, that I think that people have just -- I've
25 learned that have picked and chosen parts of the

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1 Bible that they want to disagree with, and so that
2 being one of them. But it's the same people that
3 say, you know, you're going to go to hell if you
4 marry someone of the same sex aren't also taking
5 into consideration parts of the Bible that state
6 like, you know, if your daughter has her menstrual
7 period then you're supposed to stone her, things
8 like that.

9 And I've learned a lot about the
10 bible's teaching, if you will, of sins and things
11 like that through my wife, my wife Jaclyn. So that
12 example that I gave of, you know, you should stone
13 your -- I think it's like stone your first-born
14 daughter once she has her menstrual period or, you
15 know, committing adultery or things like that I
16 don't understand, or wearing blended clothing.
17 Those are just examples that people don't get
18 persecuted, if you will, for, but something such as
19 love, if you will, has been engrained in some faith
20 communities that will send you to hell. So that's
21 just I think growing up I'd heard that and I don't
22 remember where from. It could have been school. I
23 don't know. But it was definitely a fear that I
24 had.

25 Q Thank you. It sounds like you have a very

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1 different understanding what the Bible says than
2 whatever the source was that was giving you that
3 fear?

4 A Yeah.

5 Q You mentioned your brother in particular,
6 that he's very religious and I think you said he has
7 a strong relationship with his faith. Does he have
8 a different view about issues of being gay or not?

9 A To be honest, I don't know. I've never
10 asked him. I do know that his fiancée is a -- is
11 probably one of the most religious, if you will,
12 people that I've ever met, which has caused anxiety
13 for us, us as in Jaclyn and me. However, she has
14 never, you know -- she talks with us normally, if
15 you will, loves El [REDACTED], you know, I'm in her
16 wedding. El [REDACTED]'s going to be the flower girl.
17 She's never treated us any differently, and on top
18 of that, I can validate and understand that if that
19 is her viewpoint or opinion on marriage or
20 relationships, according to her view of the Bible,
21 then that's okay.

22 It doesn't impact us day-to-day. She
23 still treats me like a human. She's -- I've never
24 asked her like, Hey, are you supportive or does it
25 bother you that we are gay or whatever or that

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1 E [REDACTED] has two moms or things like that. And it's
2 never come up, but it's never had to, because, one,
3 it doesn't really matter to me, because she treats
4 me just as if I'm in a, not same-sex marriage, but
5 in an opposite-sex marriage, I don't know, just in a
6 normal marriage. Hopefully that makes sense.

7 But my brother as well, it's never
8 come up in terms of like, Hey, do you support me?
9 But he's never treated me as if he didn't, and so
10 I've never, you know, pushed on the subject, because
11 he's allowed to believe what he wants to believe and
12 we go about our day. Just kind of like, I hate to
13 bring it up again, but just be. He's just being in
14 his beliefs and I'll just be in mine and we can
15 still -- I love him to death. So hopefully -- it's
16 kind of confusing, but hopefully that answers it.

17 Q That is helpful and your reference back to
18 just be I think is helpful. I've been thinking like
19 your shirts that say Love Is A Terrible Thing To
20 Hate, you've got some principles that seem like
21 they're fairly significant in guiding you and you're
22 pretty much up front about them.

23 A Yeah.

24 Q Thank you. You mentioned Jaclyn was
25 helpful with you on some biblical interpretation

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1 questions. I haven't even thought to ask. What's
2 Jaclyn's religious background?

3 A She also did grow up in the church, if you
4 will. I don't know what denomination, but
5 Christianity, but I don't know like what part of the
6 church, if you will. But her parents -- well, all
7 of her family still goes to church and things like
8 that. So she grew up religious and she's still
9 supportive of it. She's definitely not as strong,
10 if you will, in her faith as me or my family, but
11 that's also, you know, okay with me.

12 We still go to church, she's still
13 fine to do that, she's still fine to support me and
14 whatnot. But I just know that she's got a lot of
15 hate, if you will, when she came out about being --
16 like about being gay with her family and that, so it
17 kind of turned her away from the church. But I
18 would say since meeting me and going to our church
19 she's definitely a lot more open to it, because they
20 are a lot more, like I mentioned, inclusive and
21 diverse and things where she feels more accepted and
22 comfortable.

23 Q So is it fair to say your faith is very
24 important to you and her faith is probably not as
25 important to her?

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1 they have other learning opportunities, even if you
2 just commute, which is what I did. They had a lot
3 of different almost like the Gardner Webb feel,
4 where I mentioned how once a week they would have
5 that devotion time where they had a speaker or a
6 band or whatever, Wingate also had that and they did
7 require you to go to it. And you could go to extra
8 ones if you wanted to.

9 So I applied there and applied for
10 financial aid and I got a good scholarship for
11 Wingate, so it felt right. And when I went, weirdly
12 enough I didn't feel judged by them for being older,
13 if you will, than I should have been, as well as the
14 fact that at that time -- for part of the time I was
15 at Wingate I was engaged, so conversations would
16 come up about like Jaclyn or that I was in a
17 same-sex relationship. And I never felt judged
18 there about that. So that was good. It felt like a
19 very judgment free zone, if you will. And all the
20 professors were great, very supportive, so yeah.

21 Q Do you know if Wingate had any sort of
22 official position on things like that? Like how
23 affirming were they?

24 A I don't know actually, but I -- there was
25 a class I took. I don't remember the exact name of

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1 it, but it was taught by a religion professor and
2 also a psychology professor and a lot of that class
3 was about learning about different religions, what
4 they believe, kind of comparing them, that sort of
5 thing. And in that class there were people that
6 were very strict on their biblical views and also
7 people like me that were like, you know, more fluid,
8 if you will, and if you want to believe that, sure,
9 that sort of thing. So like that was the only
10 experience that I got from people or students or
11 staff or whatever being more religious in the
12 classroom setting, but nothing that I know of beyond
13 that.

14 Q That's helpful. Thanks. Let me just ask
15 a couple clarifying questions and then we may be at
16 a point to take our lunch break for everybody's
17 sake. I've been assuming that you've been referring
18 to when you say Regent University that that's the
19 one in Virginia Beach; is that right?

20 A Uh-huh, yeah.

21 Q There is a Regent College in Vancouver,
22 Canada that I've visited a few times, but opposite
23 coasts. I started you with high school, but I
24 forgot to ask you. Your early education, so
25 elementary school through high school, were they in

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1 Q Thank you. I think I understand your
2 thinking better, so this has been helpful for me.
3 If I can point you back to the same page we were
4 looking at, the next sentence says that the job
5 duties for the position include to personify the
6 ministry of World Vision by witnessing to Christ and
7 administering to others through life, deed, word and
8 sign. Do you remember seeing that when you looked
9 at the job description?

10 A I probably did see it and read it, but to
11 be honest, and I hate to admit this, but I'm like
12 a -- can you dumb that down for me? So personify is
13 confusing for me. Personify. It's kind of like big
14 sciencey words, but -- so I probably did read it,
15 yeah.

16 Q What would you understand that to say?

17 A I think personify I still don't really --
18 personify the ministry of World Vision by witnessing
19 to Christ administering -- wait. Administering
20 others through -- to me that kind of just, I think,
21 even just reading it now says we hope that you -- or
22 one of World Vision's hopes is that you are a
23 Christian, either yourself in that you are proud to
24 talk about it, proud to, you know, tell others about
25 it, but that also you either read the Bible or the

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1 Word of God and through deeds, so do charity work
2 and things like that in terms of life, living your
3 life in the eyes of God or for the eyes of God. And
4 Sign, I don't understand that one. So I think
5 generally it sums it up as World Vision hopes that
6 you will also almost, I don't want to say market,
7 but also help say, Hey, we are World Vision. We are
8 Christians. We love God. He's the center of our
9 lives. We do good for other people and we hope that
10 you do too and all of our employees do as well. I
11 can't obviously speak from when I read it for the
12 first time, because I honestly don't remember. But,
13 yeah.

14 Q Thank you. That's helpful. I've got a
15 better sense of what you understood from it. Would
16 you agree World Vision would have the most accurate
17 understanding of what's meant by this language?

18 A Probably, yeah.

19 Q Let's look at the next part down on the
20 page. There is a bullet point and the very first
21 bullet point has a sentence that says, Keep Christ
22 central in our individual and corporate lives. Do
23 you remember seeing that?

24 A Uh-huh.

25 Q What's your understanding of what that

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1 means?

2 A I think kind of as in my opinion most
3 Christians should, you know, like I said living
4 almost through the lens of God, or Christ, and
5 keeping almost like that internal central, if you
6 will, conscience that I talked about. So in your
7 personal life, you know, going to church, doing
8 those Christian things, as well as in your corporate
9 or in your work life. You know, saying that -- or
10 having people know that you're a Christian and that
11 you believe in God and such and such and being
12 willing and able to, I don't want to say prove that
13 to others, but being willing and able and not
14 shunning people away if a donor calls but they
15 really want to make a difference but they don't
16 quite have a relationship with God, but being
17 understanding that, you know, I'm strong in my faith
18 and so I hope that you can be too or whatever.

19 So I think to keep Christ central in
20 our individual and corporate lives just means as a
21 whole in your personal, mental career-wise realm, or
22 you as just a being in general, to keep your faith
23 and spirituality and Christ, like I said, through
24 the eyes of him and not let that falter. So
25 hopefully that kind of answers it.

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1 Q Let's look at the next sentence. This
2 says that anybody in this job would be required to
3 attend and participate in the leadership of
4 devotions, weekly chapel services and regular
5 prayer. Do you remember seeing that sentence?

6 A Yeah. I don't remember seeing the
7 sentence, but I remember it at least being talked
8 about for the weekly chapel, services, devotions and
9 prayer. I do remember that being talked about as
10 offered by World Vision for employees.

11 Q So you understood that if you were
12 employed by World Vision you would be required to
13 attend weekly chapel services and devotions; is that
14 correct?

15 A Yeah.

16 Q And did you understand that you would be
17 required to participate in leading any of those
18 devotions and chapel services?

19 A No. I thought of it more of -- to me that
20 felt almost like what we did in college, like I told
21 you about the weekly -- I thought back to sitting in
22 the college gym, you know, listening to a speaker.
23 I thought it was more like a perk for the employees
24 as like a, you know, We want you to have a work
25 faith balance. You know how you hear of a work life

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1 balance, but also like a work faith balance. Like
2 we offer you a time to grow as employees together at
3 a weekly chapel service where we -- I don't know. I
4 guess I just had this thought in my head that maybe
5 we would do like prayer requests. Like if anybody
6 had something on their mind, like, Hey, guys I'm
7 struggling with my daughter this week, so keep us in
8 your prayers, that type of thing. I thought it was,
9 like I said, an employee perk, almost like a benefit
10 of working for World Vision, like what World Vision
11 was giving to their employees versus what employees
12 were expected to do, if that makes sense.

13 Q I'm not sure it does. I'm intrigued,
14 because you're describing it as a perk or a benefit
15 and I thought in the job description it's presented
16 as a job responsibility or duty. So can you explain
17 to me how you sort of see that as a perk or a
18 benefit?

19 A Yeah. So like I really -- like I feel
20 like I thought of it in almost like a sense of what
21 I've experienced in college. Like I said, we had --
22 we were expected to participate in the weekly it was
23 called dimensions, and we had to get a certain
24 amount every year. So while it was a requirement,
25 it still was required for the benefit of the

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1 students. So I'm not understanding if it was a
2 weekly chapel service for donors or was it for
3 employees? To me that I took it -- because to me it
4 was a weekly chapel service or a time for employees
5 to have I guess a little bit of a break and to
6 refocus themselves on their faith and their
7 community within, if you will, within World Vision.
8 So I think I thought of it -- I've never heard of a
9 company or organization doing like a weekly chapel
10 service with people that -- I mean unless you're a
11 church. I don't know. I guess I was confused
12 because, to be blunt, it seemed weird to me for it
13 to be a weekly chapel service for strangers versus
14 something that would benefit employees and, you
15 know, I thought it was a way for World Vision to
16 insure that their employees were, you know, standing
17 strong in their faith like it says in the sentence
18 before, like keeping Christ central in our
19 individual and corporate lives and by attending
20 weekly chapel services together we can all do that.
21 Does that make more sense?

22 Q I think so. So based on what you just
23 said, would you agree with me that World Vision has
24 the right to expect its employees to agree with its
25 religious beliefs?

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1 A What do you -- I don't know. What does
2 that have to do with the devotions, weekly chapel --
3 are we still talking about that?

4 Q Well, you just said something that sounded
5 like you were saying that. So I was just trying to
6 understand you.

7 MR. WOLNOWSKI: Is there a question?

8 MR. WARD: Yes. Karen, would you read it
9 back, please?

10 * * *

11 (Whereupon, the Court Reporter
12 read from the record.)

13 * * *

14 THE WITNESS: Okay. So can you repeat it
15 one more time?

16 * * *

17 (Whereupon, the Court Reporter
18 read from the record.)

19 * * *

20 THE WITNESS: I feel like as long as
21 they're -- I think you can have the employees
22 agree to agree, but also still have their own
23 beliefs, if that makes sense.

24 BY MR. WARD:

25 Q I'm not sure that does make sense. Can

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1 you explain to me what that means, please?

2 A Kind of like what we talked about with
3 Just Be. Like I can validate and hear and
4 understand World Vision's definition of religion, if
5 you will, and agree with them having that kind of
6 belief or those definitions or whatever of religion
7 and on the flip side of that I can also have my own,
8 if that makes sense. So like agree that they have
9 those beliefs of Christianity and what that means to
10 them while also hoping they would agree that I have
11 my beliefs of Christianity and what that means to
12 me. Does that make more sense?

13 Q I'm not sure it does. Help me understand.
14 Suppose an employee said, I believe Christianity is
15 false. It's untrue. Would World Vision be able to
16 say that's not acceptable for an employee or would
17 they have to say you can just be, and believe that?

18 MR. WOLNOWSKI: Objection to form. You're
19 asking what World Vision thinks about
20 something?

21 MR. WARD: No. I'm asking her her
22 understanding.

23 Q So, please, you may answer.

24 A Can you repeat it?

25 Q Let me try it again. If I understood what

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1 you were saying, you're pointing to what you shared
2 about Just Be and the idea that World Vision would
3 have its beliefs and employees would have their
4 beliefs. So I ask the question, does that mean that
5 World Vision can't require that its employees
6 believe in Christianity?

7 MR. WOLNOWSKI: Same objection.

8 THE WITNESS: I think from -- I don't know
9 from like a legal standpoint. From a personal
10 standpoint I think if someone identified as
11 like atheist, for example, I don't think that
12 World Vision would be a good fit for them for
13 an employer, especially because there are -- I
14 don't know, atheism versus Christianity, if you
15 will, or saying they don't believe in God, I
16 don't think there is compromise there, if that
17 makes sense, or wiggle room at all. Does that
18 make sense?

19 BY MR. WARD:

20 Q I'm not sure I'm fully understanding it.
21 Is the dividing line that you would see the
22 requirement of a compromise or wiggle room?

23 A No. But I feel like -- I just feel like
24 as a whole what someone defines as Christianity to
25 them is so varied that if you said if you want to

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1 work for World Vision you have to say that you're a
2 Christian, believe in the Apostle's Creed, you need
3 to pray at least once a week or whatever. I think
4 those are all fine, because I believe that those are
5 things that most and almost all, if not all,
6 Christians would agree with and abide by and live
7 by. So to me I think like saying that World Vision,
8 you must be a Christian, I think is just an umbrella
9 statement in a way. Because it's like a Christian
10 or Christianity I feel like -- or the definition of
11 Christianity I feel like is different for everybody.
12 Because kind of like I mentioned before, people pick
13 and choose what parts of Christianity and the
14 teachings that they strongly agree with or do not.
15 Does that make more sense?

16 Q Well, I'm not sure. So is what you're
17 saying that each employee would get to say what they
18 think Christianity means?

19 A I mean I guess if they were asked, yeah.
20 Or just in being asked if, you know, do you keep
21 Christ central? Kind of like what it says above, Do
22 you keep Christ central in our individual and
23 corporate lives, that's a huge important aspect. I
24 think that Christianity, the ultimate goal of
25 Christianity is for a person to have a relationship

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1 with God and for that relationship to guide them
2 throughout life. So whether that looks a little bit
3 different for people -- even at Gardner Webb there
4 were some Christians that would only wear long
5 skirts or were moderate in that way.

6 So if World Vision employed, for lack
7 of a better word, somebody such as that, that
8 believed that, you know, modesty was a true sign of
9 Christianity and you were going against God's word
10 by wearing short shorts, then that's definitely
11 something that I feel like they're allowed to define
12 for themselves, with also still they're Christian
13 and they believe that -- I feel like as long as you
14 have, kind of like I said, as long as you have that
15 umbrella, if you will, view that, you know, God is
16 my creator. He died to forgive my sins and I want
17 to live for him, do good for him, keep him as the
18 center of my life, I think that is the most
19 important part. And then whatever, if you will,
20 kind of spreads out from there is up to that
21 individual, if you will, to decide. Does that make
22 sense?

23 Q A little bit more. Let me see if I
24 understand it. You referred to the umbrella. Are
25 you saying that World Vision could say here's what

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1 the umbrella is and then the things that flow from
2 the umbrella, the employee would get to say? Is
3 that your understanding?

4 A Yeah. Yeah.

5 Q So how do you decide what the umbrella is?

6 A What's under the umbrella or what the
7 actual umbrella is?

8 Q The actual umbrella itself. Let me
9 rephrase that. I think -- are you and I in
10 agreement that Work Vision gets to decide what the
11 umbrella is?

12 MR. WOLNOWSKI: Objection. You're asking
13 whether or not she agrees with you in
14 something?

15 MR. WARD: I'm happy to rephrase it.

16 MR. WOLNOWSKI: Please rephrase.

17 BY MR. WARD:

18 Q Would you agree that World Vision gets to
19 decide what the umbrella is?

20 A I've -- yes, but I feel like in my sense
21 I'm talking as the umbrella, the base of the
22 umbrella, which World Vision gets to decide is that
23 their employees define themselves as Christians.
24 Does that make sense?

25 Q So it doesn't make sense to me, because I

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1 guess I'm confused about what it means to define
2 themselves as Christians.

3 MR. WOLNOWSKI: Is there a question?

4 MR. WARD: I'm getting there, Counsel, if
5 you'll be patient.

6 BY MR. WARD:

7 Q I'm not getting that from your analogy.
8 I'm trying to work with your analogy here. The
9 umbrella --

10 A Yeah. I'm sorry. Like I said, I'm more
11 of a visual -- sorry.

12 Q The umbrella may be a useful metaphor. I
13 want to make sure I'm understanding you. I hear you
14 saying that World Vision gets to define the base of
15 the umbrella. And then when I asked you can it
16 define whatever the base of the umbrella is and I
17 think you answered that by saying they get to define
18 the base of the umbrella as the employees identify
19 as Christians. Is that a fair summary of what you
20 said?

21 A Yeah, in a sense that they get to say
22 that -- yeah, that the employees they want to hire
23 in their company are Christians.

24 Q And how do they figure out what it means
25 for their employees to be Christians, in your

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1 opinion?

2 A I think just asking kind of like -- or
3 almost like a filtering in a way process of, you
4 know, asking questions. Like does this person in
5 Exhibit A Page 2, does that person agree to keep
6 Christ central in their individual and corporate
7 lives, and if the answer is yes, then cool. You
8 know, but I think -- I don't know. I didn't really
9 think that far into it. I just thought that World
10 Vision is, yes, allowed to say we only hire
11 Christians or people that define and live their
12 religion as Christians.

13 However, like I mentioned before,
14 because Christianity is so fluid, in my opinion, and
15 like there's different sides of Christianity and
16 what people cling to and don't cling to that it's
17 too hard to set like definite rules that employees
18 have to follow. So I think ultimately saying like
19 World Vision can say, We want all of our employees
20 to be Christians. And then from there I think that,
21 you know, your definition of Christian is different
22 than mine, Casey's is different than mine,
23 everybody's different than mine. However, we still
24 identify our religious belief as Christianity, so
25 that's okay. Does that make more sense?

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1 Q I think so, but let me ask a question to
2 clarify it. I think you said you agree that World
3 Vision can require that all of its employees be
4 Christians; is that correct?

5 A Yeah.

6 Q Then you said when it comes to defining
7 what it means to be a Christian, that that's left to
8 the individual employee. Is that your
9 understanding?

10 A Yes.

11 Q And so if World Vision said, for example,
12 we believe that being a Christian means believing
13 Jesus Christ rose from the dead, an employee could
14 say, Well, I'm a Christian but I don't believe Jesus
15 Christ rose from the dead. In your view, would
16 World Vision have to hire that employee?

17 A Yeah. Because I don't think that it's
18 fair if somebody has that belief to shun them. Just
19 like with other religions, like other religions
20 believe there is more than one god, but that's for
21 them to believe and I guess personally don't think
22 there is anything wrong with that. That's why there
23 are different religions and beliefs. Nobody I feel
24 like has the exact same beliefs on everything. So
25 if that person was to say, I don't believe that, you

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1 know, he rose from the dead. I believe that he came
2 down from heaven, or they have some alternative
3 belief, I think that that's irrelevant to their job
4 at World Vision in a way. I personally feel that
5 way. And especially if it's something like a
6 customer service job. I don't think their beliefs
7 on whether or not someone rose from the dead -- or
8 God rose from the dead is -- like relates to that,
9 if that makes sense.

10 Q Well, I'm not sure it does. That's why
11 I'm curious. I appreciate you indulging me. I'm
12 trying to understand where the lines are drawn and
13 so let me ask maybe a different angle on the same
14 question. Could World Vision decline to hire
15 someone who was a committed Muslim, someone of
16 Islamic faith?

17 MR. WOLNOWSKI: Objection to form. You
18 can answer.

19 THE WITNESS: Well, is it -- oh, sorry.
20 BY MR. WARD:

21 Q He's objected. You can answer now.

22 A I think personally for me, I don't know
23 enough about the Muslim faith, but I feel like --
24 and this is just me talking from what I think, I
25 feel like it's rooted in Christianity, but I don't

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1 know, to be honest.

2 Q In your view could World Vision require
3 that its employees believe in the Bible?

4 A Yeah.

5 Q Could World Vision require that its
6 employees believe in the Trinity, Father, Son and
7 Holy Spirit?

8 A I think so.

9 Q So going back to what you said earlier,
10 what if an employee said, I identify as Christian
11 but I only believe in God the Father. I don't
12 believe in Jesus Christ or the Holy Spirit as part
13 of the trinity?

14 A Personally I feel that like that would be
15 okay, because they're still defining themselves as a
16 Christian and trying to live their life in that
17 light, if you will, and trying to live against -- or
18 live among others with those still Christian beliefs
19 and values and I assume that they would try to live
20 as a Christian would, but just maybe have that
21 little bit of a difference. And to be honest, even
22 myself, I'm not fully familiar with the Holy Trinity
23 despite growing up in the church. It's not -- it
24 might be taught a lot, but it's not something that
25 I'm vastly familiar with. I'm not saying it's not

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1 important, but it's not what I generally think about
2 when I hear of Christianity. I don't know if that's
3 important at all, but, yeah.

4 Q Is it fair to say that what you're saying
5 is as long as a person identifies as Christian, that
6 World Vision ought to be required to hire them?

7 A Yeah.

8 Q Help me understand. Where would you draw
9 the line to say that World Vision could rightfully
10 refuse to hire someone?

11 A I think when it falls under the law. I
12 don't know -- I don't know much about or anything
13 about employment law, but I don't think -- as far as
14 my understanding is you're not allowed to not hire
15 somebody. I don't know where that falls in terms of
16 legally if someone has a felony or misdemeanor, I
17 don't know about that part. But in my opinion I
18 don't think, as far as anywhere besides World Vision
19 that I've applied, I don't think anywhere -- I don't
20 know what's legal and what's not legal in that
21 sense. Especially with World Vision's claim to be
22 an EEOC employer, I thought that there was
23 protection there as well.

24 Q Let me ask a question and maybe root it
25 back in this job description. If you look at the

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1 page we were looking at --

2 A Yeah.

3 Q -- the second bullet on that page says the
4 duties of the job require, Maintaining reliable
5 regular attendance, report to work on time and
6 return from breaks and lunches on time. Would you
7 agree that World Vision could terminate someone's
8 employment if they didn't maintain reliable, regular
9 attendance?

10 A Yeah, I believe so.

11 Q Okay. Look at the bullet above that.
12 Would you agree that World Vision could terminate
13 someone if they didn't keep Christ central in our
14 individual and corporate lives?

15 A I think if they were able to prove it,
16 yeah.

17 Q How would they prove it?

18 MR. WOLNOWSKI: I'm going to object to
19 form. You're asking how a company would prove
20 something?

21 MR. WARD: I'm literally just repeating
22 her words back to her. She said if they could
23 prove it and I said how could they prove it.

24 MR. WOLNOWSKI: Objection.
25

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1 BY MR. WARD:

2 Q Please, answer.

3 A I think personally, to be blunt, it's none
4 of their business. Because I think that keeping
5 Christ central in our lives is important and
6 especially also in the corporate life. However,
7 there's definitely times where Christ may not be
8 central in your life for maybe a short period of
9 time or you may be questioning, you know, why
10 something has happened to you. Or I could easily
11 bring up the pregnancy. Like why did God -- he's
12 known that I've wanted children all my life. That's
13 all I've dreamed of. I want to be a surrogate like
14 so much so that that was something I really would
15 have loved to do and why is it -- why did he punish
16 me for like, you know, not allowing those things.
17 Like I feel like in that time Christ wasn't central
18 in my life. I was angry, I was confused, I was sad,
19 that sort of thing.

20 So I think in the sense of me saying
21 that they have to prove it, like if -- maybe if they
22 see an employee posting on social media, you know,
23 free posts of, you know, things about atheism or
24 something like that, something where there is a
25 paper trail, if you will, or proof that -- you know,

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1 that sort of thing. But I think that it's
2 definitely normal in any faith to have your ups and
3 downs in your relationship with God or whoever it
4 may be and for God to not always to be central in
5 your life, but to have in it your mint that this
6 will pass and you will get back to that place. Does
7 that kind of answer it?

8 Q It does help. You referred to social
9 media, that if someone posted on social media that
10 their beliefs were very different from World
11 Vision's Beliefs that it would be appropriate to
12 terminate them. Is that right?

13 A Wait. If they're different from -- say it
14 again.

15 Q World Vision's beliefs.

16 A Yeah, I think when it comes to like in a
17 sense of if someone claims to World Vision that they
18 are a Christian, but then they see on their social
19 media that they claim to be an atheist, then I think
20 that's fair ground for termination. Just like if
21 somebody was -- called out sick, but then on social
22 media posted that they were at Disney World, I think
23 that's also grounds for termination, because you're
24 lying straight up. Because that's I think why -- to
25 me it's like Christianity as an umbrella term

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1 because Christianity, just like sexuality or any
2 religion, is fluid. So I identify as gay where
3 someone else identifies as bisexual. But if I
4 identify as a Christian and somebody identifies as
5 an atheist, there is no wiggle room in that, if that
6 makes sense.

7 Q I think that does make some sense. Let me
8 relate it back to something you said earlier. You
9 talked about when you looked at the EEO statement
10 there was some reference to the Apostles' Creed,
11 believing the Apostles' Creed; is that right?

12 A Yeah. Uh-huh.

13 Q So if somebody said, I don't believe the
14 Apostles' Creed anymore, do you believe World Vision
15 could terminate their employment?

16 A Yeah, I guess so. Because they state that
17 they want their employees to believe in the
18 Apostles' Creed, right?

19 Q Yes, I think that's right. That's
20 helpful. I think I'm understanding more what you
21 were saying. Can I go back to something you said
22 before I ask this last question? I want to make
23 sure I heard it correctly. You said that -- I think
24 you said, and this won't be an exact quote, that
25 just as sexuality is fluid, religion is fluid. Is

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1 that correct?

2 A I didn't mean religion. That was kind of
3 a bad example. I meant Christianity is fluid. I
4 was trying to explain it as like you may identify as
5 a lesbian, but I -- you still like more masculine
6 females, kind of like me. You can be -- identify as
7 a Christian, but maybe not have the same feelings as
8 somebody else that also identifies as Christian.
9 Does that make sense?

10 Q Yeah, I think I understand you. I think
11 I'm tracking you.

12 A Okay.

13 Q Let me draw your attention back to the job
14 description. If you would be so kind as to look at
15 the next page, there's the third bullet from the
16 bottom. It says, Be sensitive to donors' needs and
17 pray with them when appropriate. Did you understand
18 that that was part of the job requirements for the
19 position you were applying for?

20 A Yeah.

21 Q So you knew that you'd need to pray with
22 donors at times?

23 A Yeah. I think like based off of the
24 donor's need or want to pray, yeah. I didn't know
25 or -- I didn't think that it was a requirement per

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1 se of the job, like you have to pray every single
2 call you take or whatever it may be. But if the
3 donor asks if you'll pray with them, you'll be
4 willing to pray with them. Does that make sense?

5 Q I think it does. But help me understand.
6 Suppose World Vision said to its employees in this
7 position, When a donor call, we want you to pray for
8 that donor. Could it require that as part of the
9 position?

10 A You said pray with that donor or for that
11 donor?

12 Q Either.

13 A I think -- I mean to me at least I
14 would -- I mean I think that if I -- if it was a
15 requirement for every single call you took, then I
16 think there would maybe need to be training on that,
17 just in my opinion. Because everybody prays
18 differently, everybody uses different terminology
19 when praying, whether they're referring to God or
20 Jesus. I've heard some people refer to God as their
21 dad. So I think definitely there would need to be
22 some stipulations or training around that.

23 But I think if that was something
24 that the company wanted their employees to pray with
25 every single donor, I think it would also need to be

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1 in maybe the script. I'm not sure how the customer
2 service employees worked there, but let's say you're
3 told to open up asking if you can help them with
4 anything and before you hang up ask if they would
5 like to pray or something. But to me, when I read
6 that as like be sensitive to donors' needs and pray
7 with them when appropriate, when appropriate doesn't
8 to me signify it's going to be every single time or
9 it's a requirement. To me it's the donor's need, so
10 when the donor asks if they can pray and you just
11 kind of pray along or listen to them and then when
12 appropriate, which I think is also appropriate to
13 pray when they want to pray, not necessarily every
14 single phone call.

15 Because I think it's important to be
16 mindful of those people's personal lives and they
17 may be calling quickly on their way to work or on
18 their lunch break and may not have time to pray or
19 may just not need that. So I don't think it should
20 be forced as a requirement to somebody that calls or
21 like is in that situation.

22 Q Thank you. You mentioned training. Let
23 me ask you a question. It's a little different
24 direction. You mentioned looking at the website for
25 two or three minutes to understand World Vision and

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1 Q There may be. You're right. And that's I
2 think understandable. Christian is more
3 understandable than humanitarian for me, too. That
4 makes sense. A little further down it says, Jesus
5 loved at the center always. We are Christian and
6 follow Jesus' example to show unconditional love to
7 the poor and oppressed. Is that consistent with
8 your understanding of who World Vision is?

9 A At that time, yeah. But now, no.

10 Q So what do you mean by now no?

11 A I think Jesus shows, you know,
12 unconditional love to the poor and oppressed. I
13 think that in this example, being part of the LGBTQ
14 community doesn't necessarily mean I'm poor and
15 oppressed, but I feel like unconditional love that
16 Jesus would have given was not given to me in
17 this -- this job interview or in this process.
18 Because if World Vision claims to keep Jesus' love
19 at the center, which is unconditional love, I guess
20 for me personally I didn't feel that. I felt
21 shunned and less than. And I don't really know what
22 oppressed means, but oppressed in my meaning means
23 less than or looked down on or like you're a bad
24 person, and that's how I felt I was treated.

25 So I think beforehand, yeah,

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1 absolutely. I would have said, heck, yeah, World
2 Vision definitely exemplifies God and his
3 unconditional love and they help so many people.
4 But after being on the inside or partially on the
5 inside of World Vision and this whole experience, I
6 would definitely say that I don't -- I don't agree
7 with that anymore.

8 Q Is it accurate to say that you have a
9 different understanding of what the unconditional
10 love of Jesus means than World Vision has?

11 A Yeah. I just -- I don't -- I guess I just
12 don't understand how there is any different
13 definition of unconditional love. If it's not
14 unconditional then there is some sort of condition
15 to it, so it's not unconditional. Does that make
16 sense?

17 Q Yeah.

18 A So I don't -- to me unconditional is a
19 very cut and dry word. It means what it is or it
20 says and there is no wiggle room, if you will, in
21 that. Hopefully that didn't confuse you.

22 Q No. I think I understand it. Is it fair
23 to say that you think World Vision has a wrong
24 understanding of the unconditional love of Jesus?

25 A Yeah. Yeah, I think that -- yeah, because

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1 they're putting conditions on it.

2 Q And from what you just described it sounds
3 like that's pretty central to your disagreement with
4 World Vision that's at issue in this lawsuit. Is
5 that fair?

6 A What part?

7 Q The idea that you and World Vision have
8 different understandings of the unconditional love
9 of Jesus.

10 A Now, yes.

11 Q Fairly central to the lawsuit we are in
12 the middle of now is your sense that World Vision's
13 understanding of the unconditional love of Jesus is
14 wrong. Is that fair?

15 A I don't agree with it, but -- I don't
16 agree with it, but it is what it is. I think that
17 anyone that reads that or is told that they believe
18 in God's -- or Jesus' unconditional love, they think
19 that God loves everybody regardless of where you've
20 been or -- I mean people talk about dogs and their
21 unconditional love for their owners and that's kind
22 of what I think about when I think of unconditional
23 love, is there's no conditions.

24 You can be a terrible person and do
25 terrible things, but God will still love you and

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1 forgive you and so, you know, that's I guess --
2 sorry I got emotional. But I think for me it seems
3 very wrong that World Vision is claiming to -- or
4 hiding behind saying, you know, Oh, we believe in
5 Jesus' unconditional love, but then won't hire
6 somebody based off of who they love. So -- which
7 I'm not hurting anybody by loving Jaclyn. So
8 anyways, I'm sorry. I feel like I'm getting on a
9 rant, but I didn't mean to get emotional. Sorry, I
10 forgot the question.

11 Q I think you've answered it and, please, no
12 need to apologize. I am very grateful for your
13 authenticity. I appreciate the conversation we have
14 had. Don't feel any need to apologize.

15 Are we at a point where you'd like to
16 take a break for a few minutes?

17 A Yeah.

18 Q Is five minutes enough or would you like a
19 little bit longer?

20 A No. That's good.

21 MR. WARD: Very good. Off the record at
22 3:42 Eastern Time. Thank you.

23 * * *

24 (Whereupon, a brief recess was taken.)

25 * * *

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1 Q Did you ask any questions pushing back on
2 it at all?

3 A Um-um, not that I can think of.

4 Q Did you say anything to indicate that you
5 were currently in a same-sex marriage at that time?

6 A Um-um.

7 Q I'm sorry --

8 A No.

9 Q Thank you. So the records that we have
10 says that you were asked the question -- actually,
11 let me back up a step. That you were told that
12 World Vision seeks individuals who not only share
13 our Christian faith and values but also live them
14 out both in at and outside of work. Do you
15 remembered that being said?

16 A I think briefly, yeah.

17 Q And do you remember them talking about the
18 lens for determining biblically based behavior would
19 be to ask, does the behavior glorify God, does it
20 build up other Christians and encourage love and
21 good deeds, is it good stewardship, meaning
22 responsible use of his resources, and is the
23 behavior consistent with the teachings of scripture?
24 Do you remember that being shared?

25 A I don't remember that, but I'm sure it

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1 was.

2 Q And then do you remember them talking
3 about examples of behaviors that we believe are not
4 in alignment with our standards of conduct and,
5 therefore, unacceptable behavior for employees?

6 A Yeah, I remember that.

7 Q And do you remember them saying that that
8 includes any sexual conduct outside of a marriage,
9 World Vision defines marriage as between a man and a
10 woman?

11 A Yeah, I remember them saying that.

12 Q There were several other examples I
13 believe they mentioned. Do you recall other
14 examples as well being discussed?

15 A I believe there were some in reference to
16 using like illegal substances. That's all I can
17 really think of.

18 Q I'm happy to list some of them. For
19 example, ongoing substance or alcohol abuse,
20 harassment of any type, malicious gossip, fighting,
21 et cetera. Do those sounds familiar? Are those
22 what they said?

23 A Yeah.

24 Q Now, they asked a question, Do you have
25 any questions about our standards of conduct, the

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1 expectations we have of employee compliance with
2 them or of our organizational culture and values,
3 and your answer was, No, not at all; is that
4 correct?

5 A Yes.

6 Q Then they asked a question saying that,
7 It's important that you know of World Vision's
8 expectations so that you can decide if we are the
9 right organization for you. Are you willing and
10 able to comply with the standards of conduct if
11 employed by World Vision? Do you remember being
12 asked that question?

13 A Yeah.

14 Q And your answer was, I'm aligned, yes.
15 And these notes have an explanation point after the
16 yes. Is that how you answered that question?

17 A Yeah. But I would assume that meant it
18 was a confident yes. So, yeah.

19 Q Seems like a fair assumption. And the
20 question was asked, Based on our conversation today
21 do you feel that World Vision seems like a good fit
22 for you? And the answer recorded is, Yeah,
23 absolutely; is that correct?

24 A Yeah.

25 Q So overall is this an accurate reflection

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1 of what you talked about during that call on
2 December 4th, 2020?

3 A Yeah. Yes.

4 Q Thank you. Was there a reason that you
5 didn't at that time mention that you were in a
6 same-sex marriage?

7 A Yeah, because I didn't think that at that
8 point it was -- I mean, I guess I didn't think it
9 was important, because I've never been asked that or
10 about my marriage in a job interview or never
11 brought it up. So that I guess it just didn't
12 really come to my -- come to my mind, if that makes
13 sense.

14 Q At that time did you understand being in a
15 same-sex marriage to be consistent with or
16 inconsistent with World Vision's standards of
17 conduct as they were explained to you on that call?

18 A Can you rephrase that?

19 Q Is there something about it you don't
20 understand?

21 A Like what -- can you repeat it? Sorry.

22 Q I'll take another run at it. Let me see
23 if this is more comprehensible. At the time you
24 answered those questions did you understand that
25 your being in a same-sex marriage was inconsistent

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1 with World Vision's standards of conduct?

2 A I didn't think that -- I knew -- well, I
3 didn't -- I thought more so that kind of like I
4 mentioned before, like I thought of it more of like
5 an agree to disagree kind of situation -- or not
6 situation, but like, for example -- I don't know.
7 Like kind of -- I hate to put it in terms of
8 marketing, but almost like if a donor calls and
9 says, Hey, does World Vision do drug tests on their
10 employees, then that would be something where I
11 would say like, Yeah, as part of World Vision's code
12 of conduct, I think it's called, they believe -- or
13 we stand by our employees being drug free, you know,
14 alcohol free, so we can best help serve you and
15 serve God. So I would think of it more as like
16 that.

17 Or if somebody called and said, Hey,
18 what is World Vision's view on marriage, then I
19 would state the one about World Vision's belief
20 that, you know, marriage is between a man and a
21 woman and I think anything outside of it is --
22 something. I don't remember exactly. Or just that
23 marriage is between a man and a woman. So I thought
24 of it more as would I be fine with explaining these
25 things to, you know, donors, people calling in to

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1 the call center, or I guess maybe other employees if
2 they asked or anyone that I was, you know -- friends
3 or family that asked.

4 So I think -- so I think I agreed
5 with them in a sense that like I agreed that they --
6 and was okay with them having these views, because I
7 didn't feel like it involved the work that I was
8 going to be doing. And from my understanding they
9 were an EE -- they as in World Vision is an EEOC
10 employer, so I thought that that meant that there
11 was no threat of if I said that, you know, I didn't
12 agree with that or whatever, that I would be fired
13 or, you know, or whatnot. So I think hopefully
14 that's not confusing.

15 But I think all in all, I thought I
16 had the protection of the law for them -- for World
17 Vision, sorry, to not be able to say, you know, If
18 you tell us that you're gay we are not going to hire
19 you, or if you tell us you're married to a woman we
20 are not going to hire you. Because I didn't think
21 it was legally allowed, so that's why I thought of
22 the code of conduct more as like a what we tell
23 people in a sense.

24 Kind of like Chick-Fil-A. Everybody
25 knows their drive-throughs are great, so I feel like

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1 not that it's their code of conduct, but they always
2 have to say, you know, Have a blessed day or It's my
3 pleasure. So I thought of it almost as a way that
4 they, as I kind of mentioned, market themselves to
5 others as their trademark or -- does that kind of
6 make sense what I'm saying?

7 Q I think I'm understanding what you're
8 saying. Just to make sure, you understood at this
9 time that you might be required in this position you
10 were applying for to tell donors what World Vision
11 believed; is that correct?

12 A Uh-huh.

13 Q And you understood at this time in the
14 position you were applying for you'd be required to
15 pray with donors in appropriate circumstances; is
16 that correct?

17 A Yeah. Like I knew that if they -- like to
18 pray with them if they asked, but like I said
19 before, I didn't think it was a requirement or
20 something that was -- they just -- the application
21 made it seem like it was just like a here and there,
22 if it's asked about kind of thing, not that it was a
23 requirement.

24 Q So did you understand that customer
25 service representatives would be required to speak

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1 on behalf of World Vision about what World Vision
2 believed?

3 A Yeah, I think so.

4 Q So let me ask you a little bit about your
5 answer to this question, because the question that
6 was recorded as you've affirmed it was in fact
7 asked, Are you willing and able to comply with the
8 standards of conduct if employed by World Vision?
9 What did you understand comply to mean?

10 A I think comply means to be in agreement
11 with, to me. To comply, to be in agreement with, to
12 advocate for like while you're at work or in a sense
13 of for World Vision, almost like you're the sounding
14 board, if you will, for World Vision. So to comply
15 was that you are in agreement and fine with saying,
16 you know -- stating what World Vision believed, kind
17 of like I mentioned before, like if they believed it
18 even if I didn't personally believe it, I'm okay
19 with them believing it because that's their choice
20 and their definition of their own Christianity and
21 what it means to them. So, yeah.

22 Q So you believed you were able to I think
23 you used the word advocate, to advocate their
24 position on marriage if anyone called and you were
25 talking to them about that; is that correct?

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1 A Yeah. I mean I don't feel like, me
2 personally, I would be comfortable saying much about
3 it. But just stating if they said, What's World
4 Visions' view on marriage, I would respond with
5 their exact words of World Vision defines marriage
6 between a man and a woman. And if they asked
7 questions or there was any pushback with that, I
8 think at that point I would either seek direction
9 from somebody like higher up or just say that I
10 wasn't sure how to answer that. Because I think
11 that does get a little bit -- that's something I
12 wouldn't be comfortable answering, because I feel
13 like that gets a little wishy washy and I wouldn't
14 want to say the wrong thing and turn somebody away
15 or I wouldn't want to get in trouble. So I would
16 try to stick to the script, if you will.

17 Q So you would not have been comfortable
18 talking with a donor beyond the initial script. Is
19 that fair?

20 A No. I would about like superficial things
21 for sure. Like -- but in terms of controversial
22 things like that, one, I would hope they wouldn't
23 come up in a donor customer service job. And two,
24 I -- yeah, I would just -- I'd be fine with talking
25 about them if they wanted to talk about their

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1 husband or their wife, sure, fine. Or if they were
2 in a same-sex relationship, sure, fine. I wouldn't
3 be like, Oh, sorry we are not going to help you or
4 we are not going to let you sponsor a child. I
5 would stay as professional as I could, because I
6 don't feel like my personal life and marriage, one,
7 is the donor's business and also not really relevant
8 to the job. So I don't think it should come in up
9 in that sense.

10 But I don't really know what the
11 customer service job is like really and, you know,
12 how people talk or what they do exactly. But this
13 is just me speaking from experience of like what
14 I've witnessed, if you will, in customer service or
15 jobs I've done that are similar to that.

16 Q Thank you. My last question may have been
17 a little on the broad side. Let me ask it in a very
18 focused way. With regard specifically to the issue
19 of World Vision's understanding that the biblical
20 covenant of marriage is between a man and a woman,
21 did I understand correctly that you would not have
22 felt comfortable talking with a donor beyond the
23 first level of communication on that?

24 A Yeah, because I don't -- I think, then,
25 that gets -- for me personally that gets more so

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1 political and that's a gray area, if you will. So I
2 wouldn't -- like I said, I wouldn't want to say the
3 wrong thing. So I would only feel comfortable
4 saying, Our code of conduct is this. If you have
5 any questions or want to talk about it more with
6 somebody, I'd love to direct you to somebody that
7 has more information regarding that. That would
8 definitely be something that I would give them an
9 answer, but also say, If you want more, let me put
10 it in somebody else's hands.

11 Q Thank you. Let me ask about a different
12 document now. Make sure I'm getting the right
13 document. Before I give you this document to look
14 at there is the October 4th interview -- I'm sorry.
15 There is the December 4th interview that you did
16 with Catherine Miolla, there is the assessment that
17 you completed. What happened next in the process?

18 A So I think after the assessment she wanted
19 me to do I believe it was a Zoom call with -- I
20 don't remember if she was on the call, but it was
21 with the manager, I believe, of the customer service
22 call center. I believe he was a male. I don't
23 remember his name, though.

24 Q If I said it was Anthony, would that sound
25 familiar?

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1 BY MR. WARD:

2 Q Yes, specifically with regard to the
3 position on marriage.

4 A No. At that point it didn't, like I
5 mentioned before, it didn't seem like a threat to me
6 or anything I needed to be worried about. So I
7 don't recall bringing it up to anybody.

8 Q I'm a little bit confused in part because
9 your counsel objected on the basis of
10 attorney/client privilege, which makes me think
11 there was a conversation with counsel. I don't want
12 to know the contents about that conversation, but
13 can you please tell me the first date on which you
14 spoke with anyone about a possible legal matter
15 involving World Vision?

16 A Okay. So I did talk with my wife when the
17 job was rescinded about why it was rescinded.

18 Q So that would have been on or about
19 January 8th, 2021; is that correct?

20 A Yeah, I believe so.

21 Q So prior to January 8th, 2021 did you talk
22 with anyone about World Vision's position on
23 marriage?

24 A Not that I can remember.

25 Q Prior to January 8th, 2021 did you talk to

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1 anyone about possible legal action against World
2 Vision?

3 A No.

4 Q So prior to January 8th you didn't talk to
5 a single human being about World Vision's position
6 on marriage; is that correct?

7 A Correct, not that I'm familiar with, no.
8 It was only after the job offer was rescinded that I
9 had seeked -- sought out legal help and had
10 expressed that to other people.

11 Q To be clear, my question is not just about
12 legal help. I'm asking about anyone whatsoever.

13 A Before the January 8th?

14 Q Before January 8th.

15 A No, not that I can remember. Because like
16 I said, it didn't feel like a threat to me, because
17 I knew World Vision was an EEOC employer, so them
18 not believing -- or them having the Christian views,
19 if you will, that marriage is between a man and a
20 woman was just -- that's what it was, you know,
21 that's what they thought and that was it. It was
22 almost like a just little like part of the
23 application and then we move on.

24 Q Let's go from you complete the online
25 application, you have the video interview. And I'm

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1 A No. I thought it was like for a
2 probationary period. Like most jobs have the 90-day
3 or set probationary period where they see how you're
4 doing and if they want to continue on with you as
5 their employee. But I didn't know this job was only
6 9 to 11 weeks long.

7 Q Do you see the last sentence of that
8 paragraph, Should a separation occur you'll be
9 eligible for payment for hours worked only?

10 A Yeah, I see that.

11 Q So did you understand that to relate to
12 the training program of 9 to 11 weeks?

13 A I guess.

14 Q Let me ask it a different way. Did you
15 understand at the time of receiving this offer
16 letter that you had to go through 9 to 11 weeks of
17 training?

18 A Yeah, I knew there had to be training.
19 But I still considered being hired as an employee,
20 because I think for most jobs you have to have a
21 training or most jobs -- like my current job -- or
22 my past and current job has had -- most of them have
23 had the 90 days probationary period where they see
24 how you do, they train you, see if you'll be a good
25 fit and then go from there and either continue to

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1 have you as an employee or I guess fire you. So
2 that's kind of how I interpreted it, as all jobs
3 need training, especially a call center type job
4 with different software, different scripts and
5 things like that. So I think I interpreted it more
6 as like a, You're hired as an employee, however, we
7 will have like a 90-days followup to see how you're
8 doing and go from there kind of thing.

9 Q Did you understand -- go ahead.

10 A Did that answer the question?

11 Q I think so. Did you understand that if
12 you didn't complete the training successfully you
13 would no longer be employed with World Vision?

14 A I guess at that point, no, I didn't
15 understand that. I thought of it -- I mean, I
16 guess. I guess I didn't really worry about it,
17 because I've never not done well in one of the
18 probationary periods. So I've never worried about,
19 you know, being fired after that 90 days. So for me
20 I felt like it was more of just like a, I don't
21 know, I don't want to say warning, but just a, Hey,
22 we want to make sure all our employees do a great
23 job, so for 90 days we have you on our radar and
24 then if we feel like you're doing great then you'll
25 move on. So that's how I interpreted it, I think.

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1 I don't know if that answered your question. I'm
2 sorry.

3 Q Would you agree this offer letter is clear
4 that you have to complete the training in order to
5 remain employed by World Vision?

6 A Yeah.

7 Q Thank you. Let's keep moving. What is
8 the next thing that occurs after you receive this
9 offer letter dated January 5th, 2021?

10 A At that point I did -- I know I looked
11 back at the offer letter to see if there were any
12 mentions of like employee perks, if you will, or
13 benefits. So at that point I had E-mailed Catherine
14 Miolla asking if, because I was pregnant, if -- and
15 so I was referencing the 90-day probationary period
16 in my head of like a lot of employers that you work
17 for you're not eligible for benefits until after
18 that probationary period. So I E-mailed her because
19 I knew if my start date was in January -- I mean,
20 sorry, February 1st of 2021, that by the time I was
21 supposed to have E [REDACTED] I wouldn't be eligible for
22 full benefits, if you will, if World Vision offered
23 anything.

24 So I asked Catherine, because I felt
25 like it was kind of a unique situation, if there

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1 apologized to her and then I referenced -- or said
2 that my sister, my triplet sister was getting
3 married and I was in the wedding. We also had
4 family in town, so I was dealing with that. So I
5 was busy with that and I didn't know -- or assumed
6 there was any urgency in her needing to talk to me,
7 because I had already had the offer letter. So
8 that's why I think if I knew that she needed to talk
9 to me right away then I would have called or she
10 would have called me. So I think mostly just the
11 fact that my sister was getting married, so I was
12 tied up with that and I didn't think it was anything
13 that needed to be answered right away.

14 Q At this point you had received the offer
15 letter. You had not communicated back an acceptance
16 of it, had you?

17 A I remember I believe I signed it and
18 then -- on the Word document and then sent it back
19 to Catherine.

20 Q Thank you. So let's go back to Exhibit
21 12, if you don't mind. I'm seeing something with
22 a -- on the second page it looks like a blank for
23 Docu-sign and a date of January 9th, 2021. I'm not
24 seeing what you're referring to as having signed the
25 offer letter. Since this is the version that your

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1 counsel produced to us in discovery I would think
2 this would be the most meaningful one. Are you
3 thinking of some other document?

4 A No. But I do remember trying -- when I
5 was sending this to Casey I do remember having to go
6 look back in my E-mail to see if I had the offer
7 letter. And I believe it was a link that you had to
8 click on to open the offer letter, which might be
9 why it wasn't signed in the one I screen-shotted to
10 him. But I don't -- I don't know why I wouldn't
11 have signed it. So I may have just not -- I don't
12 know if I have a copy of the signed one, because I
13 think once you sign it it just like goes away and
14 says like, Thank you for signing it and it was sent
15 back to Catherine.

16 So I honestly feel like I signed it,
17 because it was just a quick little insert thing.
18 You can do it either on your phone, write it out, or
19 you can choose a font. And I do remember that, but
20 I don't -- so I don't know if this was the actual --
21 obviously it's not I guess the actual one that I had
22 assumed I signed. But I would assume I would have
23 signed it as soon as I got it.

24 Q During this time between getting the offer
25 letter and it being rescinded on Friday, January 8,

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1 generally -- during my pregnancy taking baths was my
2 like comfort. So I always would eat dinner and then
3 get in the bath. So I know I was in the bath most
4 likely on my phone at that point, yeah.

5 Q So what happened next in this process
6 after this exchange of E-mails?

7 A As far as I remember I was -- I remember
8 opening the E-mail and being shocked, because I was
9 confused why -- like why Catherine was pulling back
10 or rescinding the job offer so quickly, because I
11 had been communicating with her as much as I could,
12 when I could. And then I wasn't sure what
13 discrepancy she was referencing. So I immediately
14 was shocked and so I believe she called me or I may
15 have called her job. I don't remember. But after
16 that E-mail that same night we had talked on the
17 phone.

18 Q Do you remember about what time you
19 talked?

20 A I don't. But it was pretty immediate,
21 immediately, within an hour I would say. Within an
22 hour after that, because like I said, I was in the
23 bath I believe when I got that E-mail. And our
24 phone call I was -- in the beginning of our phone
25 call I was also in the bath, which is a little

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1 weird, but....

2 Q So about how long did that phone call
3 last?

4 A I believe it was about five minutes, five
5 ten minutes maybe.

6 Q So five to ten minutes. Who was in that
7 phone call?

8 A I remember answering the phone and it was
9 Catherine and she said that somebody else with HR
10 was on the phone with me, maybe her supervisor or
11 something, but I don't remember exactly who. I did
12 find out later from Casey that it was Melony. But
13 at the time I think she introduced herself real
14 quick and that was it, so....

15 Q So did you record a part of that call?

16 A Yeah, I did.

17 Q Why did you record it?

18 A So I did not -- well, okay. So I did not
19 record part of that call, my wife Jaclyn did.
20 Sorry. But part of that phone call on my behalf, if
21 you will, was recorded. It was recorded by my wife,
22 though.

23 Q So just to clarify, when I asked who was
24 involved in that call you referred to Catherine
25 Miolla and to someone who has since been identified

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1 as Melony. You didn't mention your wife was part of
2 that call. But I take it she was also part of that
3 call?

4 A So when Catherine initially called me it
5 was just Catherine and Melony and I was in the bath.
6 So I started to panic I guess internally, got very
7 anxious and so I got out of the bath and went and
8 sat on the couch next to Jaclyn. And I did have the
9 phone on speaker phone. So I was sitting with
10 Jaclyn and I had the phone on speaker phone. But
11 when you asked that question I thought you meant
12 when the call was made. But, yeah, Jaclyn was on
13 the phone call about like halfway through the
14 phone -- about halfway through the phone call.

15 Q Thank you for clarifying. You recorded a
16 short amount of the call it sounds like. Let me
17 rephrase that actually. How much of the call did
18 you record?

19 MR. WOLNOWSKI: Objection. Misconstrues
20 prior testimony.

21 MR. WARD: I'm happy to rephrase it.

22 BY MR. WARD:

23 Q You testified that your wife Jaclyn
24 recorded the call. How much of the call did Jaclyn
25 record?

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1 A So at the time I didn't know but -- and I
2 didn't know that she had recorded it until after the
3 fact. And I believe -- I still don't know how long
4 that recording is. I believe Casey has spoken to me
5 about like 35 seconds or something, 37 seconds. But
6 that was all I knew in terms of how long it was. I
7 found out throughout this process with talking with
8 Casey.

9 Q Did you disclose at any point to Catherine
10 Miolla or Melony that part of the call was being
11 recorded?

12 A No. Because I didn't even myself know
13 that it was being recorded. And I guess speaking
14 for Jaclyn, she didn't say anything either.

15 Q Thank you. That's helpful. So Jaclyn
16 recorded it without your knowledge at the time that
17 she was recording it? Is that what you just
18 testified?

19 A Yeah. But so it was like we were sitting
20 on the couch and she was sitting next to me and I
21 did not -- I wanted her to be there more so because
22 I couldn't believe what I was hearing and I was
23 anxious, kind of panicking. So I wanted her for
24 moral support and also to hear what was happening,
25 because I was very shocked. And so I guess she had

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1 started recording. I didn't know at the time she
2 was recording until after the phone call ended, in
3 which she told me that she did record it. So at the
4 time she didn't communicate it with me, but
5 afterwards, like after the call ended, she told me
6 she did.

7 And just with my prior experience
8 with my dad, he's a commercial real estate agent, so
9 he's done -- he knows a lot of legal stuff, not a
10 lot, but I did know that North Carolina was a
11 one-person kind of -- I don't know the correct
12 terminology, but basically you just needed one
13 person to know that you were recording something and
14 then that was okay. Because we were in North
15 Carolina when the phone call took place.

16 Q So did you listen to the recording on that
17 same day?

18 A Yeah. Yeah, I listened to it right after
19 the phone call.

20 Q And was any other part of the call
21 recorded other than the 35 seconds that you just
22 referred to?

23 A Not that I'm aware of or have ever been
24 aware of, no.

25 Q Let me go ahead and upload that recording

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1 just so we can all listen to the same thing
2 together. I believe we are on Exhibit 14. Give me
3 one second.

4 * * *

5 (Whereupon, the above-mentioned
6 recording was marked for
7 identification as Exhibit-14.)

8 * * *

9 BY MR. WARD:

10 Q I'll represent to you that this is the
11 recording that was produced to us by your counsel,
12 Mr. Wolnowski. If you would, please listen to that
13 35 seconds after it's uploaded.

14 A You want me to listen to it?

15 Q Yes, please.

16 A Is it going to play so everybody else can
17 hear it? I don't mind. Can everybody hear that?

18 MR. SZYMANSKI: Yes.

19 BY MR. WARD:

20 Q Yes.

21 A Sorry. Can I play it?

22 Q Please.

23 (Whereupon, a recording was played.)

24 BY MR. WARD:

25 Q Thank you. Is that an accurate recording

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1 it would be her parents if I didn't tell them.

2 BY MR. WARD:

3 Q My question had been specific to the
4 possibility of your working at World Vision. I'm
5 going to ask the same question with a different
6 focus. Prior to January 9th, 2021 who, if anyone,
7 did your wife talk to about the World Vision
8 standards of conduct?

9 MR. WOLNOWSKI: Object to form. Aubry,
10 you can answer.

11 THE WITNESS: Nobody that I know of.

12 BY MR. WARD:

13 Q I'm still a little confused, because
14 earlier when I limited my question to up to
15 January 5th it evoked a privilege assertion from
16 your counsel. And I tried to work around that and
17 respect the privilege. I just want to confirm, did
18 you have any discussions with any legal counsel
19 prior to January 9th, 2021?

20 A No -- prior to January 9th, I think maybe
21 January 8th after the job offer was rescinded I may
22 have done some Googling and may have contacted Casey
23 and them. I don't think so, but if it was before
24 January 9th it would have been the night of
25 January 8th. But that would have been only after

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1 the job offer was rescinded because of them --
2 because of the marriage discrepancy was -- did I
3 contact anybody for legal help or for any reason
4 regarding that.

5 Q Thank you. I appreciate you clarifying
6 that. Is it fair to say World Vision's policy on
7 marriage as a biblical covenant between a man and a
8 woman was the sole reason that the offer of
9 employment was rescinded?

10 A I think that it was rescinded because they
11 found out that I was gay and that I was married to a
12 woman, which went against their beliefs.

13 Q So their beliefs were the reason that the
14 offer was rescinded?

15 A Yeah.

16 Q So walk me through the conversations that
17 you had with your wife after that phone call. What
18 did you two talk about?

19 A I know after that phone call I was very
20 upset. I felt defeated, I felt less than. I
21 absolutely regretted sending that E-mail that
22 referenced my wife, because I felt like if I hadn't
23 said "my wife" I would have continued on with the
24 job. And I was very frustrated that this great
25 opportunity that I was looking forward to got taken

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1 away from me or rescinded from me because of
2 something that I felt like was a really terrible
3 reason. So I know that I was definitely upset. I
4 definitely was confused.

5 Like I've referenced before, Jaclyn
6 knows a lot more about biblical things as well as
7 about legal things when it comes to the LGBTQ
8 community, whether that be marriage laws and things
9 like that. So at that point I just wanted to
10 understand, because like I mentioned before, World
11 Vision stated on their -- they state on the website
12 that they're an EEOC employer and I knew the EEOC
13 protects LGBTQ rights, if you will, or
14 discrimination based off of sex and things like
15 that.

16 So at first I was really confused and
17 I didn't understand why or how they could -- why or
18 how World Vision could rescind the job offer,
19 because in my eyes it's illegal because it's
20 discriminating against me because I'm gay and
21 because I was in a same-sex marriage and happened to
22 mention it.

23 Q So what did you and your wife talk about
24 doing next in light of the job offer being
25 rescinded?

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1 MR. WOLNOWSKI: I object on the grounds
2 that this request calls for spousal-privileged
3 materials and I --

4 MR. WARD: Please complete your sentence.

5 MR. WOLNOWSKI: Under the circumstances
6 I'll direct my client not to answer those
7 questions.

8 MR. WARD: Counsel, I'd like to make my
9 record on the spousal privilege. What is it
10 you're asserting is covered by the spousal
11 privilege?

12 MR. WOLNOWSKI: The communications with
13 respect to her wife as it relates to the
14 question interposed.

15 MR. WARD: What's the foundation for the
16 spousal privilege? Are you referring to a
17 state law privilege, a common law privilege?

18 MR. WOLNOWSKI: I've made my objection.

19 MR. WARD: You've also instructed the
20 witness not to answer, so I have a right to
21 make my record.

22 MR. WOLNOWSKI: Aubry, do you understand
23 the question?

24 THE WITNESS: No.
25

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1 BY MR. WARD:

2 Q So my question was simply what did you and
3 your wife talk about doing next after the job offer
4 was rescinded.

5 MR. WOLNOWSKI: You can answer.

6 THE WITNESS: At that point we talked
7 about seeking legal action, we talked about not
8 seeking legal action. However, from my Google
9 search, you know, treading lightly, World
10 Vision has at least 30,000 employees, I
11 believe. Odds are there are other employees
12 that are either -- gay in marriages with
13 same-sex partners, so I found it very, very,
14 very hard to believe that out of 30,000
15 employees at least -- and I'm using 30,000 just
16 from what I remember. It could be different.
17 There could be more or less. But from that
18 many people there, in my opinion, is no way
19 there is not another employee that is in a
20 same-sex relationship.

21 And I thought about -- or we thought about
22 we were scared to take legal action, because I
23 mean we are half the time in fear of being gay
24 as it is. But with legal action comes opening
25 your lives into something like this. So

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1 anyways, ultimately we wanted to take legal
2 action because we felt as advocates, if you
3 will, and supporters of the LGBTQ community
4 that we would be doing a disfavor, dishonor,
5 whatever you want to call it, to the LGBTQ
6 community if we did not pursue this.

7 And even so much so when World Vision
8 offered us a settlement I believe maybe to not
9 take -- a settlement to not do something legal,
10 I don't know what the settlement was for, but
11 when they offered us a settlement we said we
12 are not taking it. Because if we take it and
13 run with it that's not fair to the other LGBTQ
14 community, you know, people who may be in this
15 same situation but may not be able to take
16 legal action or may not have known that they
17 could take legal action or things like that. I
18 think for a while we did juggle with whether or
19 not we wanted to take legal action and I
20 actually found Nisar Law Group off of TikTok.
21 It's a social media platform where you post
22 videos and such. I had seen Casey's --

23 I don't know if, Casey, if he's your boss.
24 Do you know who I'm referring to?

25 MR. WOLNOWSKI: Ms. McMahon, just try to

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1 answer the question to the best of your
2 recollection.

3 THE WITNESS: Okay. So I found them off
4 of TikTok and I knew they did a lot with
5 employee/employer discrimination. So I decided
6 to contact them and they had wanted to help.
7 So from there they made me feel confident and
8 like I was doing the right thing, so we decided
9 to pursue it.

10 BY MR. WARD:

11 Q Thank you, Ms. McMahon. I do want to be
12 clear. I'm not asking you to tell me anything about
13 your conversations with your counsel. That is
14 absolutely something that we respect the privilege
15 on. So if my question seems like it's asking that,
16 it's not and that is an area where your counsel -- I
17 support the invocation of privilege. But that's
18 helpful. I understand little bit more about what
19 you and your wife were thinking.

20 You mentioned several times World
21 Vision's EEO statement. I'm going to upload and
22 mark Exhibit number 15 to your deposition.

23 * * *

24 (Whereupon, the above-mentioned
25 document was marked for

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1 identification as Exhibit-15.)

2 * * *

3 BY MR. WARD:

4 Q If you would, please take a look at that.

5 A (Witness complies.) Uh-hum.

6 Q I'm going to represent to you that this is
7 a document that we produced to your counsel in
8 discovery. You'll see it's got the markings on the
9 bottom of the page 000045 and following. This is
10 the EEO statement from the World Vision website. Is
11 this the EEO statement that you were referring to
12 previously?

13 A Yeah, I believe so.

14 Q Very good. Thank you. Can I draw your
15 attention to the very first page on the far left
16 where the EEO statement says, Are a Christian. You
17 follow Jesus and agree wholeheartedly with our
18 statement of faith or the Apostles' Creed. Simply
19 put, God's great love is what unites our staff.
20 It's the reason for all we do. Did that shape your
21 understanding of what the EEO obligations of World
22 Vision were?

23 A I don't know, but I think so. Because in
24 both of those there is no reference to like gay
25 marriage, so I felt like as a Christian, if you

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1 will, that I was in alliance with that part as well.

2 Q And if I can direct your attention to the
3 top of page three, the last page, where they
4 actually set forth the Equal Opportunity Employer
5 statement, it's very small print, so you'll have to
6 probably Zoom in.

7 A Yeah.

8 Q But do you see the second paragraph of
9 that statement?

10 A Yeah.

11 Q That says, Pursuant to the Civil Rights
12 Act of 1964, Section 702 42 U.S.C. 2000e(1)a, World
13 Vision has the right to, and does, hire candidates
14 who agree with World Vision's statement of faith or
15 the Apostles' Creed and conduct themselves in
16 accordance with our religious beliefs. Did you see
17 that at the time you were looking at the World
18 Vision EEO statement?

19 A Yes.

20 Q So you understood that that was part of
21 what World Vision required of its employees?

22 A Yeah, I guess.

23 Q Thank you. Let me take us back a little
24 bit to the timeframe after the rescission. I just
25 want to know the date, I don't want to know the

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1 content. At what point -- at what date did you
2 first contact anyone about legal representation
3 against World Vision?

4 A I believe it was probably that same night
5 that the job offer was rescinded, which was January
6 8th, 2021.

7 Q Other than legal counsel who else did you
8 talk with about the rescission of the job offer?

9 A I talked with Jaclyn that night and then
10 beyond that date my family, Jaclyn's family, a
11 couple close friends and I think that's it.

12 Q I used the word talk. Same question with
13 a broader word, just to be sure I'm not
14 misunderstanding or being misunderstood. Other than
15 legal counsel with whom did you communicate in any
16 way about the rescission of the job offer?

17 A The people I had previously listed. I did
18 also tell the managers of the Queen City Counseling
19 job that I was given -- or that I took on in May, I
20 did tell them I wasn't aware of how long the legal
21 process was, so I did just say, as I wanted them to
22 know, that I was currently in a lawsuit for a job
23 position that was rescinded from me when they found
24 out I was gay.

25 I only told my current employer when

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1 I found out that the deposition was coming. I just
2 said that I needed time off to do a deposition for a
3 lawsuit that I was in. I didn't say really what it
4 was about, but those were the only ones -- or other
5 people I believe I've had communication with beyond
6 family members, some friends and employers.

7 Q Did your wife, Jaclyn, have any
8 communication beyond what you've just identified for
9 yourself about the same subject matter?

10 MR. WOLNOWSKI: Object to form.

11 Ms. McMahon, you can answer.

12 THE WITNESS: Not that I'm aware of.

13 BY MR. WARD:

14 Q Did you post anything to social media
15 related to the rescission of the job offer of World
16 Vision?

17 A Not that I'm aware of.

18 Q If I told you you posted to Facebook
19 following the rescission of the job offer, would
20 that refresh your recollection?

21 A The only thing I would have remembered
22 posting would be in that CALM group where I asked
23 for -- if anybody had like legal, a legal person I
24 could talk with. But I don't feel like I used World
25 Vision's name or anything, because I had been taught

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1 or heard throughout the years that in legal matters
2 you're supposed to stay quiet, if you will, and not
3 talk about it, post about it unless it's with close
4 people that you trust. So that would be the only
5 thing, would be just asking for any lawyer
6 recommendations or just like a job situation or the
7 fact that I got a job offer rescinded or fired or
8 whatnot because the employer found out that I was
9 gay.

10 Q If I told you that your Facebook page had
11 more than 100 comments and --100 responses and 80
12 comments to a post about the rescission of your job
13 offer by World Vision, would that surprise you or
14 would that refresh your recollection?

15 A I don't remember that, honestly. Do you
16 have it?

17 Q At any point did you remove a posting from
18 Facebook about this?

19 A Not that I'm aware of.

20 Q Interesting.

21 MR. WOLNOWSKI: Is that a question?

22 MR. WARD: Interesting is not a question.
23 Did you at any point remove anything is a
24 question.

25 MR. WOLNOWSKI: I believe Ms. McMahon is

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1 here to answer questions, not to listen to your
2 opinions on whether she did or didn't do
3 something.

4 MR. WARD: I'll continue asking questions,
5 Counsel.

6 BY MR. WARD:

7 Q So just to be clear, you have no
8 recollection of posting anything to Facebook other
9 than possibly something in the -- was it the CALM
10 Facebook page?

11 A Yeah, the CALM Facebook page. And I do
12 remember posting that, but I don't remember anything
13 beyond that. I do remember Casey advised me not to
14 post anything.

15 MR. WOLNOWSKI: Objection. Please answer
16 his question. What we discuss is privileged by
17 attorney/client privilege.

18 THE WITNESS: Okay. So there may have
19 been a time I went back and deleted that post,
20 but I don't remember.

21 BY MR. WARD:

22 Q Would you have retained a copy of that
23 post in some form?

24 A No.

25 Q Would the CALM group be able to obtain it?

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1 MR. WOLNOWSKI: Object to form. You can
2 answer.

3 THE WITNESS: I could ask.

4 BY MR. WARD:

5 Q That would be great. Thank you.

6 MR. WARD: Counsel, we'll probably serve a
7 follow-up discovery request on that front.

8 MR. WOLNOWSKI: Sounds like a subpoena
9 would be a better thing to serve, but I'll take
10 it under advisement.

11 BY MR. WARD:

12 Q Miss McMahon, do you remember any other
13 communications about this lawsuit -- pardon me, let
14 me rephrase that. Do you recall any other
15 communications about the rescission of your job
16 offer by World Vision beyond what you just testified
17 to?

18 A No.

19 Q Let me ask you few more questions, if I
20 may. I did want to explore a little bit the impacts
21 on your health and wellbeing following the
22 rescission of the job offer. Can you tell me --
23 you've alleged damages for both physical injury and
24 other injuries. Can you please tell me, what's the
25 basis for those claims of damages?

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1 A I'm not sure what you mean by basis, but I
2 think emotional damages for sure. Even during this
3 deposition you can obviously tell that it still
4 affects me to this day. So definitely emotional
5 damages.

6 Q When you say emotional damages, I
7 understand emotional distress. Can you tell me, has
8 that somehow converted into a physical injury of any
9 sort?

10 A No.

11 Q Have you seen any medical professionals
12 for any harm that you think you've suffered as a
13 result of the rescission of the job offer by World
14 Vision?

15 A Physical harm? No. Emotional harm, I've
16 been consistently in therapy for the past seven
17 years, so it's definitely something that has come up
18 with my therapist.

19 Q So you've discussed it with a therapist
20 you were already seeing for other reasons; is that
21 right?

22 A Yeah.

23 Q Have you seen any psychological or mental
24 health professionals beyond your existing therapist
25 for any harm related to the rescission of your job

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1 offer by World Vision?

2 A No.

3 Q Have you had to obtain any sort of
4 treatment for any harm related to the rescission of
5 your job offer by World Vision?

6 A No.

7 Q And when you refer to the emotional
8 impact, has that manifested in any financial expense
9 to you?

10 A I mean definitely taking on -- having to
11 take off time for work to do these things, legal
12 things, if you will. Beyond that, not that I can
13 think of. I mean except for, you know, therapy.
14 But, yeah.

15 Q If I may ask, what is the rate you pay for
16 the therapy sessions, just so I know that number,
17 please?

18 A I do have health insurance, but I know
19 that my therapist rate I believe is \$150 an hour.

20 Q Did I understand correctly you don't pay
21 that out of pocket because it's covered by your
22 health insurance; is that right?

23 A Right.

24 Q Can you identify for me any medications
25 that you've been prescribed related to the

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1 rescission of your job offer by World Vision?

2 A Un-un. No. Yeah, there is none.

3 Q And have you had any lost wages as a
4 result of the rescission of your job offer by World
5 Vision?

6 A I mean I would say up until, if this
7 counts, from the time the job offer was rescinded or
8 supposed to start to the time that I was able to get
9 another job. I don't know if that counts.

10 Q Forgive me, I think you testified to this
11 earlier, but what was the date that you got another
12 job?

13 A I don't remember the exact date, but it
14 was in May of 2021. But I could get you that date
15 if you need it.

16 Q Thank you. At the outside you would be
17 claiming, at most, lost wages related to January
18 8th, 2021 to some point in May 2021; is that
19 correct?

20 A Yeah.

21 Q Did you receive any unemployment
22 compensation during that period between January 8th,
23 2021 and May of 2021?

24 A I did, whatever was shown on the Exhibit.
25 However, if I would have been employed by World

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1 Vision I would have no longer qualified for those
2 benefits. So they would have stopped immediately as
3 I started the World Vision position.

4 Q On that unemployment compensation, if you
5 don't mind, let's all quickly look back. I believe
6 it was Exhibit 7. It looks to me like that stopped
7 as of March 13th, 2021. What was the reason that
8 that stopped?

9 A It was the COVID benefit, I believe, was
10 when that was cut off.

11 Q Thank you, yes. I appreciate that. I had
12 forgotten that. Is it fair to say that the only
13 compensatory damages of any form that you're
14 claiming are the lost wages you think you would have
15 earned from the rescission of the job offer on
16 January 8th, 2021 until you obtained new employment
17 in May of 2021?

18 MR. WOLNOWSKI: Object to form. You can
19 answer.

20 THE WITNESS: I don't know what
21 compensatory means.

22 BY MR. WARD:

23 Q Understood. Compensatory usually refers
24 to compensation for the injury that you've suffered.
25 Let me put it in a different phrase. Is it fair to

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1 say that the sum total of any lost economic benefit,
2 medical expense, mental health expense or similar
3 wellbeing expense is limited to the compensation you
4 would have received from World Vision between the
5 rescission of the job offer on January 8th, 2021 and
6 your obtaining new employment in May 2021?

7 MR. WOLNOWSKI: Object to form.

8 THE WITNESS: I mean I personally don't
9 feel that way. I think that emotionally it
10 definitely took an impact. And I feel like I
11 am in therapy longer than I would like to be
12 and more than I would like to be because of it,
13 because it's taken away from other important
14 things I'm in therapy for. So, yeah, that's in
15 my opinion. I don't know if that's allowed,
16 but, yeah.

17 BY MR. WARD:

18 Q So is it fair to say, then, that whatever
19 that additional damage is, it would essentially be
20 the cost of the additional therapy that you've been
21 receiving from your regular mental health counselor?

22 MR. WOLNOWSKI: Object to form.

23 THE WITNESS: Yes. And just speaking in
24 terms of payment as of right now, the rate that
25 I told you in terms of insurance and such is

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1 based off of this year. So I'm always -- I can
2 look back and see what I was paying for my
3 therapist at the time between, either like a
4 copay or deductible or whatever. I can, you
5 know, look back if that's something you guys
6 need as well.

7 BY MR. WARD:

8 Q Thank you. One more question and I hate
9 to bring back painful memory, but you testified
10 earlier that the delivery with E [REDACTED] was -- I
11 believe your word was terrible. And based on what
12 you described that sounds like a good description.
13 Was there a time when you were unable to work
14 because of the terrible experience that you had and
15 the damage that that inflicted on you?

16 A You know, like you said, it was terrible
17 as an emotional situation. However, physically I
18 was still able to walk around as best I could, go to
19 the grocery store, care for E [REDACTED], but just with a
20 catheter. So it didn't stop me from being able to
21 live day-to-day life, if you will, thankfully. It
22 just took me longer than I had anticipated to
23 physically recover. But like I said, I was fine to
24 take care of E [REDACTED] and do day-to-day duties, if
25 you will.

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1 Q Thank you. That's helpful. Let me ask
2 another question or two, then it might be time for
3 us to take a brief break and move towards wrapping
4 thing up. I just want to be very clear on this.
5 The first point at which you engaged any sort of
6 legal counsel related to this matter would have been
7 January 8th, 2021 at the earliest; is that right?

8 A Yes, after the job offer was rescinded.

9 Q Okay. Thank you.

10 MR. WARD: Why don't we take a five-minute
11 break and come back on and I'm hopeful that we
12 are just about done here.

13 * * *

14 (Whereupon, a brief recess was taken.)

15 * * *

16 BY MR. WARD:

17 Q Ms. McMahon, I think I've covered what I
18 need to cover and I'd love to let you go before we
19 hit the time limit. If I may just ask one more
20 question, why do you want to sue World Vision?

21 A I touched on it a little bit before, but I
22 want to sue World Vision because I feel like I was
23 discriminated against based off of being in a
24 same-sex relationship or being gay or married or,
25 you know, in a same-sex marriage because -- yeah, I

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1 felt or feel discriminated against. And I really
2 would have loved to work in that position and I feel
3 like I really would have obviously, based off of how
4 just being offered the job, I felt like I would have
5 been a great employee. And even talking about
6 probationary periods, at the job I'm at now, after
7 their probationary period I was promoted. So I
8 think that I would have hopefully done the same and
9 exceeded World Vision's expectations.

10 But in terms of deciding to sue them,
11 it was because I felt discriminated against. And
12 also, like I mentioned, we juggled with it, but I
13 felt I would be doing a disservice to any other
14 LGBTQ community members, if you will, that were
15 either employed already by World Vision and have to
16 keep their marriage a secret because they're in a
17 same-sex marriage or because they're gay. So for
18 those people, but also from other people that are
19 scared to stand up for themselves and seek -- or
20 just say, Hey, this isn't fair. This is illegal.
21 And I feel like I deserve better and so does
22 everybody else.

23 So main thing -- main two points, I
24 guess, was because I was discriminated against based
25 off of my sexual orientation, you know, being

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1 married to another woman and also because, as I've
2 mentioned, my wife and I are huge advocates for
3 different causes, one being the LGBTQ community and,
4 you know, advocating for them and standing up for
5 them is something that I feel I'm doing by taking
6 this action.

7 Q Thank you. I realize I said one more
8 question. That's not entirely right, but I'll be
9 quick. I assume you did see the settlement letter
10 that World Vision sent back over a year ago and were
11 able to consider that?

12 A Yeah, uh-huh.

13 Q Does it change your perspective at all to
14 think about the funds that are the being spent for
15 this lawsuit are funds that are not going to the
16 work that World Vision does in caring for children
17 and protecting women in situations where they are
18 being disempowered?

19 A No, I don't feel bad at all. I feel that
20 was World Vision's choice. Although I chose to take
21 legal action, it was their choice to rescind the
22 offer knowing that it was illegal. So I really
23 don't feel bad. I feel like, you know, whatever
24 happens, happens with this lawsuit. But I feel like
25 good things could come from it, so I'm hopeful. And

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1 World Vision has 30,000 employees and, you know,
2 they have moved on in that sense without me and I
3 have moved on without them, so I don't feel bad at
4 all. And I have other ways that, myself personally,
5 I'm doing my own good for the world. So what World
6 Vision chooses -- or is losing because of me is not,
7 you know, in my realm of worry.

8 MR. WARD: Ms. McMahon, thank you for all
9 of your time today. I appreciated the chance
10 to speak with you. Thank you very much. I'm
11 all done.

12 THE COURT REPORTER: Would you both like a
13 copy of the transcript?

14 MR. WOLNOWSKI: Mr. Ward, will you be
15 providing us a copy?

16 MR. WARD: Yes, we'll provide a copy to
17 Casey.

18 * * *

19 (Witness excused.)

20 * * *

21 (Whereupon, the Zoom deposition concluded
22 at 5:50 p.m. EST)

23 * * *

24

25

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I N D E X

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WITNESS: Aubry McMahon

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E X H I B I T S

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C E R T I F I C A T I O N

I, Karen A. Stevens, a Court Reporter
and Notary Public, do hereby certify the
foregoing to be a true and accurate transcript
of the proceedings in this matter, as
transcribed from the stenographic notes taken
by me.



Karen A. Stevens
Court Reporter
Notary Public

2/28/23

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